



# भारत का राजपत्र The Gazette of India

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NEW DELHI, SATURDAY, DECEMBER 9, 1995/AGRAHYANA 18, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

वित्त मंत्रालय  
(प्राथमिक कार्य विभाग)  
(बैंकिंग प्रभाग)

नई दिल्ली, 30 अक्टूबर, 1995

MINISTRY OF FINANCE

(Department of Economic Affairs)  
(Banking Division)

New Delhi, the 30th October, 1995

का. आ. 3172—गोवा, दमन और दीव (बैंक पुन-निर्माण) विनियमन, 1962 के विनियम 4(1) के अधीन प्रस्तुत शक्तियों का प्रयोग करते हुए और दिनांक 2 जनवरी, 1965 की समसंख्यत अधिसूचना के अंतर्गत में, केन्द्रीय सरकार, एतद्वारा भारतीय स्टेट बैंक के मिडिल मैनेजमेंट ग्रेड स्केल-II के अधिकारी श्री जे. बी. पी. फर्नांडीज को 1 नवम्बर, 1995 से 30 नवम्बर 1995 की अवधि के लिए जब वर्तमान अभिरक्षक, श्री ए. आर. आचार्य छुट्टी पर रहेंगे, श्री एन. यू. एंड कैप्ता डी. गोवा के अभिरक्षक के रूप में नियुक्त करती है।

1 दिसम्बर, 1995 से अपना कार्यभार पुनः ग्रहण करने पर, श्री ए. आर. आचार्य, अगले आदेशों तक बी.एन. यू. एंड कैप्ता डी. गोवा के अभिरक्षक के रूप में कार्य करेंगे।

[सं. 23/5/93-बी. आ. ए.]  
प्रतिभा मोहन, निदेशक

S.O. 3172.—In exercise of the powers conferred under Regulation 4(1) of the Goa, Daman and Diu (Banks Reconstitution) Regulation 1962, and in continuation of notification of even No. dated 2nd January, 1995, the Central Government hereby appoints Shri J. V. P. Fernandes, Officer, Middle Management Grade Scale II, in the State Bank of India as the Custodian of BNU and Caixa Economic de Goa for the period 1st November, 1995 to 30 November, 1995 when Shri A. R. Acharya, the present Custodian will remain on leave.

On resuming his duties w.e.f. the 1st December, 1995, Shri A. R. Acharya shall continue as the Custodian of BNU and Caixa Economic de Goa, until further orders.

[No. 23/5/93-BOA]  
PRATIBHA MOHAN Director

नई दिल्ली, 8 नवम्बर, 1995

का. आ. 3173.—यतः बैंककारी विनियमन अधिनियम, 1949 की धारा 45 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा उसके अनुसार केन्द्रीय सरकार ने बैंक आफ बिहार लि. पटना के भारतीय स्टेट बैंक के साथ विलय के लिए, 5 नवम्बर, 1969 को एक योजना संजूर की थी।

यतः, उक्त योजना के खण्ड 6 के उपखण्ड (ix) के अधीन भारतीय स्टेट बैंक द्वारा बैंक आफ बिहार लिमिटेड की परिसंपत्तियों का, जिनका नियत तारीख को अन्तिम रूप से मूल्यांकन कर लिया गया है, नियत तारीख से बारह वर्षों की समाप्ति के पश्चात् अन्तिम रूप से मूल्यांकन किया जाना अपेक्षित था।

यतः, भारतीय स्टेट बैंक ने यह अभ्यावेदन किया है कि बड़ी संख्या में परिसंपत्तियाँ अन्र्गस्त होने और बैंक के प्रयासों के बावजूद अधिकांश मदों की वसूलियाँ अभी बाकी होने के कारण बैंक, विलय योजना के खण्ड 6 के उपखण्ड (ix) में विनिर्दिष्ट समय के भीतर परिसंपत्तियों का अन्तिम रूप से मूल्यांकन करने में असमर्थ रहा है।

और यतः, केन्द्रीय सरकार, भारतीय रिजर्व बैंक ने परामर्श करने पर इस बात से संतुष्ट है कि विलय योजना को लागू करने में कठिनाई पैदा हो गई है और उतना समय बढ़ाकर जितने में परिसंपत्तियों का अन्तिम रूप से मूल्यांकन अपेक्षित है, उक्त कठिनाई को दूर करना जरूरी है।

अतः अब बैंक आफ बिहार लिमिटेड, पटना का भारतीय स्टेट बैंक के साथ विलय की 5 नवम्बर, 1969 की विलय योजना के खण्ड 20 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, निदेश देती है कि भारतीय स्टेट बैंक, भारतीय रिजर्व बैंक के परामर्श से तथा उसके अनुमोदन से बैंक आफ बिहार लिमिटेड, पटना की उन परिसंपत्तियों का, जिनका वसूली और मूल्यांकन नहीं हुआ है, नियत तारीख से सत्ताइस वर्षों की अवधि के भीतर मूल्यांकन करेगा।

[सं. 15/5/94-बी. ओ. ए.]

पी. मोहन, निदेशक

New Delhi, the 8th November, 1995

S.O. 3173.—Whereas on 5th November, 1969, a scheme of amalgamation of the Bank of Behar Ltd., Patna, with the State Bank of India, was sanctioned by the Central Government in exercise of the powers conferred by and in accordance with Section 45 of the Banking Regulation Act, 1949 :

Whereas under sub-clause (ix) of clause 6 of the said scheme, the State Bank of India was required to make a final valuation of the assets of the Bank of Behar Ltd. which have been provisionally valued on the prescribed date, on the expiry of twelve years from the prescribed date :

Whereas the State Bank of India has represented that in view of large number of assets involved and the recovery of most of the items yet to be realised in spite of its efforts, it has not been able to make the final valuation within the time specified in sub-clause (ix) of clause 6 of the scheme of amalgamation :

And whereas the Central Government, after consultation with the Reserve Bank of India, is satisfied that a difficulty has arisen in giving effect to the scheme of amalgamation, which it is necessary to remove by extending the time within which the final valuation of assets is required to be made :

Now, therefore, in exercise of the powers conferred by clause 20 of the scheme of amalgamation dated 5th November, 1969 of the Bank of Behar Ltd., Patna, with the State Bank of India, the Central Government hereby directs that the State Bank of India shall in consultation with, and with the approval of the Reserve Bank of India, value the assets of the Bank of Behar Ltd., Patna, which have not been realised and valued, within a period of twenty seven years from the prescribed date.

[No. 15/5/94-BOA]  
PARTIBHA MOHAN, Director

नई दिल्ली, 13 नवम्बर, 1995

का. आ. 3174.—यतः केरल राज्य सरकार और संघ राज्य क्षेत्र लक्षद्वीप ने, विकास बैंक में परामर्श करने के पश्चात्, दिनांक 4 अक्टूबर, 1987 को एक करार किया है, जिसमें यह प्रावधान किया गया है कि केरल राज्य वित्तीय निगम संघ राज्य क्षेत्र लक्षद्वीप की आवश्यकताओं को पूरा करेगा।

अतः, अब, राज्य वित्तीय निगम अधिनियम, 1951 (1951 का 63) की धारा 46 क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह अधिसूचित करती है कि केरल राज्य वित्तीय निगम इस अधिसूचना के प्रकाशित होने की तारीख से संघ राज्य क्षेत्र लक्षद्वीप की आवश्यकताओं को पूरा करेगा।

[एफ. सं. 6(3)/94-आई. एफ. II]

ए. के. जैन, संयुक्त सचिव

New Delhi, the 13th November, 1995

S.O. 3174.—Whereas the State Government of Kerala and the Union Territory of Lakshdweep after consulting the Development Bank have reached into an agreement on 4th October, 1987 providing that the Kerala State Financial Corporation shall serve the needs of the Union Territory of Lakshdweep :

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 46-A of the State Financial Corporation Act, 1951 (63 of 1951), Central Government hereby notifies that the Kerala State Financial Corporation shall serve the needs of the Union Territory of Lakshdweep from the date of publication of this notification.

[F. No. 6(3)/94-IF. II]  
A. K. JAIN, Jt. Secy.

नई दिल्ली, 14 नवम्बर, 1995

New Delhi, the 15th November, 1995

का. आ. 3175.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबन्ध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 1998 तक बालसोर डी सी सी बी, लि. उड़ीसा पर लागू नहीं होंगे।

[सं. 1(27)/95-ए.सी.]

बी. ए. नारायणन, अवर सचिव

New Delhi, the 14th November, 1995

S.O. 3175.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Balasore DCCB Ltd., Orissa from the date of publication of this notification in the Official Gazette to 31st March, 1998.

[F. No. 1(27)/95-AC]

B. A. NARAYANAN, Under Secy.

नई दिल्ली, 15 नवम्बर, 1995

का. आ. 3176.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3, खण्ड 8 के उप-खण्ड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा 3 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री शारदा सिंह, वर्तमान में मुख्य महा-प्रबंधक, स्टेट बैंक आफ त्रावणकोर को, उनके कार्यभार ग्रहण करने की तारीख से 31 दिसम्बर, 1999 तक यूनाइटेड बैंक आफ इंडिया के पूर्णकालिक निदेशक (कार्यपायक निदेशक के रूप में पश्चात्त) के पद पर नियुक्त करती है।

[फ. सं. 9/13/95—बी.ओ.-I]

के. के. मंगल, अवर सचिव

S.O. 3176.—In exercise of the powers conferred by clause (a) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with clause 3, sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Sharda Singh, presently Chief General Manager, State Bank of Travancore, as a wholetime Director (designated as the Executive Director) of United Bank of India, for the period from the date of his taking charge and upto 31st December, 1999.

[F. No. 9/13/95-BO I]  
K. K. MANGAL, Under Secy.

मुख्य आयुक्त आयुक्त का कार्यालय

ग्रहमवाबाद, 5 नवम्बर, 1995

आयुक्त

का.आ. 3177.—बोर्ड की अधिसूचना नं. 8748 का नं. 279/121/89-आई टी जे ता. 11 अक्टूबर, 1990 (एन. ओ. नं. 777) (ई) तथा बोर्ड की परामर्शोपित अधिसूचना नं. 9413 का नं. 279/129/93-आई टी जे (पी टी) ता. 19 नवम्बर 1993 (एन. ओ. 879) (ई) एन. एन. ओ. नं. 45 (ई) ता. 21-1-1994 के अनुमति में तथा इस विषयक पूर्व आदेशों से संशोधन करने हुए मुख्य आयुक्त आयुक्त ग्रहमवाबाद हमारे द्वारा निदेश देने हैं कि आयुक्त आयुक्त (अपील-1) राजकोट एवं आयुक्त आयुक्त (अपील-II) राजकोट निम्न अनुसूची में बताए गए अनुसार अपीलों के संबंध में आयुक्त आयुक्त (अपील) के कर्मियों का पालन करेंगे:

अनुसूची

क्रमांक	आय. आयु. (अपील)	आय. उप आयु. आ. उप निदे. (अन्व)
प्रमाण	महा. आयु. निदे. (अन्व)	या उनकी अधि-कारिता से आने वाले निर्धारण अधिकारी द्वारा पारित आदेशों के अतिरिक्त अपीलों में अधिकारिता
1	2	3
1.	आयुक्त आयुक्त (अपील-1) राजकोट	(ए) यूनाइटेड बैंक/आई सहित आयुक्त उप आयुक्त रेंज-1 राजकोट (बी) अमरेली सर्कल/आई सहित आयुक्त उप आयुक्त, भावनगर रेंज भावनगर (सी) आयुक्त उप आयुक्त विशेष रेंज-1 राजकोट
2.	आयुक्त आयुक्त (अपील-II) राजकोट	(ए) भांगवी/पोरबंदर बाई/सर्कल सहित आयुक्त उप आयुक्त राजकोट रेंज-2, राजकोट (आयुक्त अधिकारी बाई 2(2) राजकोट इसमें शामिल नहीं है)

1	2	3	1	2	3
	(वी) आयकर उप आयुक्त विशेष रेंज-2, राजकोट			(ड) संवेदा गृहक सर्कल राजकोट	
	(सं.) शांतीधाम व भुज सर्कल/वार्ड स्थित आयकर उप आयुक्त जामनगर रेंज, जामनगर।		2.	यह आदेश 11-9-1995 से प्रभावी होगा।	(ई) आयकर आयुक्त राजकोट प्रभाग के किसी भी वार्ड/सर्कल/रेंज जो अन्य किसी आयकर आयुक्त (पर्याप्त) को सुपुर्द नहीं किए गए हों।
					[फा. सं. उ. आ. (मु)-1-2/1-1/93-94] प्रार. सं. हांडा, मुख्य आयकर आयुक्त-II

## OFFICE OF THE COMMISSIONER OF INCOME-TAX

(Income-tax)

Ahmedabad, the 5th September, 1995

S.O. 3177.—In pursuance of the Board's Notification No. 8748, F. No. 279/121/89-ITJ dated 11th October, 1990 (S.O. No. 777(E) as amended by Board's Notification No. 9413, F. No. 279/129/93-ITJ(Pt) dated 19th November, 1993 (S.O. 879(E) and S.O. No. 45(E) dated 21-1-1994 and in modification of earlier orders in this behalf the chief Commissioner of Income-tax, Ahmedabad hereby direct that the Commissioner of Income-tax (Appeals)-I, Rajkot and the Commissioner of Income-tax (Appeals)-II, Rajkot shall perform the functions of Commissioner of Income-tax (Appeals) in respect of the appeals, the particulars where of are mentioned in the schedule below:—

## SCHEDULE

Sr. No.	Charge of the C.I.T. (Appeals)	Jurisdiction over appeals against the orders passed by Dy. Commissioner of Income-tax Dy. Directors of Income-tax (Inv.), Asst. Directors of Income-tax (Inv.) or Assessing Officer falling within their jurisdiction
(1)	(2)	(3)
1.	Commissioner of Income-tax (Appeals)-I, Rajkot	(a) Dy. Commissioner of Income-tax, Range-1, Rajkot including Junagadh Circle/Ward (b) Dy. Commissioner of Income-tax, Bhavnagar Range, Bhavnagar including Amreli Circle/Wards (c) Dy. Commissioner of Income-tax Special Range-I, Rajkot
2.	Commissioner of Income-tax (Appeals)-II, Rajkot	(a) Dy. Commissioner of Income-tax Rajkot Range-2, Rajkot including Ward/(Circle/Morvi and Porbandar (but excluding Income-tax Officer Ward (2), 2 Rajkot) (b) Dy. Commissioner of Income-tax Special Range-2, Rajkot (c) Dy. Commissioner of Income-tax Jamnagar Range, Jamnagar including Gandhidham & Bhuj Circles/Wards (d) Estate Duty Circle, Rajkot (e) Any Wards/Circle/Ranges in the charge of Commissioner of Income-tax Rajkot not specifically assigned to any other Commissioner of Income-tax (Appeals).

2. This order shall come into force with effect from 11-9-95.

[F. No. DC(HQ)-I-II/IV-1/93-94]

R.C. HANDA, Chief Commissioner of Income-tax-II

## (राजस्व विभाग)

आयकर महानिदेशक (छूट) का कार्यालय  
कलकत्ता, 6 सितम्बर, 1995

आयकर

का.आ. 3178.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक मंत्रि, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमात्र को भी प्रस्तुत करेगा।

## संगठन का नाम

फाई रिमर्च इंस्टीट्यूट,  
गंगा नगर, पी.ओ. इच्छान करनजी-416116.  
महाराष्ट्र

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपयुक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को मुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र को विभाग को प्रस्तुत करना है।

[संख्या: 1442 (एफ.सं. म.नि./आ.क. (छूट)/एम-74/कल./35 (1) (ii)/90-91]

आर. सिंह, उप निदेशक

## (Department of Revenue)

Office of the Director General of Income-tax (Exemption)  
Calcutta, the 6th September, 1995

## INCOME TAX

S.O. 3178.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION

Fic Research Institute,  
Ganganagar P.O. Ichalkaranji-416116.  
Maharashtra.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1442]F. No. DG/IT(E/Cal/M-74/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, दिनांक 6 सितम्बर/1995

## आयकर

का.आ. 3179.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूट" के संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के

31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महा-निदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

सीताराम भारतीय इंस्टीट्यूट ऑफ साइंटिफिक रिसर्च,  
ब्लॉक नं. 1-ई, 216, ए. जे. सी. बोस रोड,  
कलकत्ता-700017.

यह अधिवृत्तता दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महा-निदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की विभाग को प्रस्तुत करना है।

[संख्या : 1443 (एफ.सं. म.नि./आ.क. (छूट)/  
इ.सू.बी. 38/कल./35 (1)/ii)-90-91]

आर. सिंह, उपनिदेशक

Calcutta, the 6th September, 1995

#### INCOME TAX

S.O. 3179.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- The organisation will maintain separate books of accounts for its research activities ;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation,

by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Sitaram Bhartia Institute of Scientific Research  
Block 1E, 216 Acharya Jagdish Chandra Bose Road,  
Calcutta-700017.

This Notification is effective for the period from 1-4-95 to 31-3-97.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1443/F. No. DG/IT(E)/Cal/WB-38/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 6 सितम्बर 1995

#### आयकर

का.आ. 3180—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संव" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहियां रखेगा।

- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महा-निदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

डॉ. पटानी साइंटिफिक एण्ड इंडस्ट्रियल रिसर्च,  
पी.एस.आई.आर., विन्डिंग,  
एन.एम.आर.कॉम्प्लेक्स, महकाली रोड,  
अंधेरी ईस्ट, बाम्बे-400093.

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की  
अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संघर्ष के लिये  
लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे  
अनुमोदन की अवधि बढ़ाने के लिये आयकर  
आयुक्त/आयकर निदेशक (छूट) जिनके  
क्षेत्राधिकार में संगठन पड़ता है के माध्यम से  
आयकर महानिदेशक (छूट), कलकत्ता को  
तीन प्रतियों में आवेदन करें, अनुमोदन की  
अवधि बढ़ाने के संबंध में किये आवेदन-पत्र  
की छः प्रतियां विभाग को प्रस्तुत करना है।

[संख्या : 1444 (एफ.सं. म.नि./आ.क. (छूट)/एस.  
14/35(1) (ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 6th September, 1995

## INCOME TAX

S.O. 3180.—It is hereby notified for general information  
that the organisation mentioned below has been approved  
by the Prescribed Authority under Rule 6 of the Income-tax  
Rules, for the purposes of clause (ii) of sub-section (1) of  
Section 35 of the Income-tax Act, 1961 under the category  
"Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of  
accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific  
research activities to the Secretary, Department of  
Scientific and Industrial Research, "Technology  
Bhawan", New Mehrauli Road, New Delhi-110016  
for every financial year by 31st May of each year ;  
and
- (iii) It will submit to the (a) Director General of Income-  
tax (Exemptions), (b) Secretary, Department of  
Scientific and Industrial Research, and (c) Commis-  
sioner of Income-tax/Director of Income-tax (Exem-  
ptions), having jurisdiction over the organisation,  
by the 31st October each year, a copy of its audited  
Annual Accounts and also a copy of audited  
Income and Expenditure Account in respect of its  
research activities for which exemption was granted  
under sub-section (1) of Section 35 of Income-tax  
Act, 1961.

## NAME OF THE ORGANISATION

Dr. Patani Scientific and Industrial Research,  
PSIR Bldg. Inga Complex, Mahakali Road,  
Andheri (East) Bombay-400093.

This Notification is effective for the period from 1-4-95  
to 31-3-98.

Notes—(1) Condition (i) above will not apply to organisa-  
tions categorised as associations.

(2) The organisation is advised to apply in triplicate  
and well in advance for further extension of the

approval, to the Director General of Income-tax  
(Exemptions), Calcutta through the Commissioner  
of Income-tax/Director of Income-tax (Exem-  
ptions) having jurisdiction over the organisation.  
Six copies of the application for extension of  
approval should be sent directly to the Secretary,  
Department of Scientific and Industrial Research.

[No. 1444/F. No. DG/IT(E)/Cal/M-14/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 6 सितम्बर 1995

## शर्तें

का. आ. 3181 — परामर्शदाता की प्रत्येक सुचित किया  
जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम,  
1961 की धारा 35 की उपधारा (i) के खंड (ii) के  
लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी  
द्वारा निम्नलिखित शर्तों पर "संघ" के संघर्ष के अधीन अनु-  
मोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां  
रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का  
एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के  
लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व  
औद्योगिक अनुसंधान विभाग प्रौद्योगिकी अनुसंधान  
विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली-  
रोड, नई दिल्ली - 110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा -  
परीक्षित वार्षिक लेखा की प्रति (क) आयकर  
महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा  
औद्योगिक अनुसंधान विभाग और (ग) आयकर  
आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार  
में उक्त संगठन पड़ता है और आयकर अधिनियम,  
1961 की धारा 35(1) में दी गई रिसर्च  
किया गया संबंधित छूट के बारे में लेखा-परीक्षित  
आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

इंस्टीच्यूट ऑफ चाईल्ड हेल्थ फोर चिल्ड्रेन एगमोर,  
मद्रास-600008.

यह अधिसूचना दिनांक 28-6-95 से 31-3-98 तक की  
अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्त (i) "संघ" जैसा संघर्ष के लिए लागू  
नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन  
की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर  
निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है  
के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता  
को तीन प्रतियां में आवेदन करें, अनुमोदन की  
अवधि बढ़ाने के संबंध में किये आवेदन पत्र की  
छः प्रतियां विभाग को प्रस्तुत करना है।

[संख्या : 1445 (एफ.सं. म.नि./आ.क. (छूट)/पी.एन./  
72/35(1) (ii)/90-91]

आर सिंह उप निदेशक

Calcutta, the 6th September, 1995

## INCOME TAX

S.O. 3181.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Institute of Child Health for Children,  
Egmore, Madras-600008.

This Notification is effective for the period from 28-6-95 to 31-3-98.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1445(F. No. DG(ITR)TN-72/35(1)ii/90-91]

R. SINGH, Dy. Director

कलकत्ता, 6 सितम्बर, 1995

## आयकर

का. आ. 3182.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहीयां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, "न्यू मेहरौली रोड, नई दिल्ली-110016" को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक निम्नलिखित वार्षिक लेखा को प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर अनुका/आयकर महानिदेशक (छूट) निम्नके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम 1961 की धारा 35 (1) से दी गई रिसूचें किया गया संगठित छूट के बारे में निम्नलिखित आवश्यक विवरण को भी प्रस्तुत करेगा।

## संगठन का नाम

नेशनल कॉमिल ऑफ साइंस म्यूजियम,  
सेक्टर-5, ब्लॉक-जी.एन., विधान नगर,  
कलकत्ता-700091.

यह प्रविष्टि दिनांक 1-4-93 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी :

1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर अनुका/आयकर निदेशक (छूट) निम्नके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की छः प्रतियां विभाग को प्रस्तुत करनी हैं।

[संख्या : 1446 (एफ.सं.म.नि./आ.क. (छूट)/इ.सू.बी. 35/कल./35 (1) (ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 6th September, 1995

## INCOME TAX

S.O. 3182.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.



## NAME OF THE ORGANISATION :

National Council of Science Museums,  
Sector-V, Block-GN, Bidhan Nagar,  
Calcutta-91.

This Notification is effective for the period from 1-4-93 to 31-3-96.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1446/F. No. DG/IT(E)/Cal/WB-35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 20 सितम्बर, 1995

## आयकर

क्र. आ. 3183—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा ग्रहिया रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, जोरबागकी भवन न्यू महंगौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम 1961 की धारा 35 (i) में दी गई रिमर्क किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

डा. रामाजिनी रिसर्च इंस्टीट्यूट ऑफ अकॉपेशनल हेल्थ सर्विसेस, 577, शुकुराव पथ,  
पुन-411002

यह अधिसूचना दिनांक 31-1-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी :

1. उक्त शर्तों (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की छः प्रतियां विभाग को प्रस्तुत करना है।

[संख्या : 1447 (एफ.सं.म.नि./आ.क. (छूट)/एम 32/35 (1) (ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 20th September, 1995

## INCOME TAX

S.O. 3183.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION :

Dr. Ramazini Research Institute of  
Occupational Health Services,  
577, Shukrawar Peth, Subhashnagar,  
Pune-411002.

This Notification is effective for the period from 31-1-95 to 31-3-97.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1447/F. No. DG/IT(E)/Cal/M-32/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 20 सितम्बर, 1995

आयकर

का. आ. 3184 :—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीच्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू महरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमात्र को भी प्रस्तुत करेगा।

संगठन का नाम

इंडियन इंस्टीच्यूट ऑफ एजुकेशन,  
128/2, जे. पी. नाईक पथ,  
कारवे रोड, कोयल्ड,  
पूना-411029.

यह अधिसूचना दिनांक 1-4-95 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की छः प्रतियां विभाग को प्रस्तुत करना है।

[संख्या : 1449 (एफ. सं. म. नि./आ. क. (छूट)/एम 115/क 1/35(1)/(ii)]

आर, सिंह, उनिदेशक

Calcutta, the 20th September, 1995

INCOME TAX

S.O. 2184.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 on the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, Technology Bhawan, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Indian Institute of Education,  
128/2, J. P. Naik Path, Karve Road,  
Kothrud, Pune-411029.

This Notification is effective for the period from 1-4-95 to 31-3-96.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1448/F. No. DG IT(E)/M-155/35(1)(iii)]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1995

आयकर

का. आ. 3185 :—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्चें किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

कोनवेस्ट जैन मेडिकल रिसर्च सोसाइटी,  
8/10, निकादेवाणीप लेन,  
कन्दावादी, कोनवेस्ट, जैन क्लीनिक चौक,  
बम्बई-400004.

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन का मुझाव दिया जाता है कि वे अनु-मोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या: 1449 (एफ.सं.म.नि./आ.क. (छूट)/एम. 30/35 (1)(ii)-90-91]

आर. सिंह, उप निदेशक

Calcutta, the 21st September, 1995

#### INCOME-TAX

S.O. 3185.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions:—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of the Income Tax Act, 1961.

#### NAME OF THE ORGANISATION :

Conwest Jain Medical Research Society,  
8/10, Nikadwari Lane, Kandawadi,  
Conwest Jain Clinic Chowk, Bombay-400004.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes: (1) Condition (i) above will not apply to organisation categorised as associations.

(2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1449/F. No. DG/IT(E)/Cal[M-30/35(1)(ii)90-91]

R. SINGH, Dy. Director:

कलकत्ता, 21 सितम्बर, 1995

#### आयकर

का. आ. 3186:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीच्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, "न्यू मेहरोली रोड," नई दिल्ली-110016 को भेजेगा, और

- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्चें किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

दो कर्नाटका केमर थेरापी एण्ड रिसर्च इंस्टीच्यूट,  
नाभा नगर, हुबली—580025

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

कलकत्ता, 21 सितम्बर, 1995

आयकर

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या : 1450 (एफ. सं. म. नि./आ. क. (छूट)/के. टी. 3/कल. 35(1) (ii)/90-91]

आर० सिंह, उपनिदेशक

Calcutta, the 21st September, 1995

#### INCOME-TAX

S.O. 3186.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of the Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Karnataka Cancer Therapy and Research Institute, Navanagar, Hubli-580025.

This Notification is effective for the period from 1-4-95 to 31-3-98.

NOTES : 1.—Condition (i) above will not apply to organisation categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1450/F. No. DG/IT(E)/Cal/T-3/35(1)(ii)/90-91]

R. SINGH, Dy. Director

का. आ. 3187 :—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टिट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

इंस्टीच्यूट ऑफ़ कैंसर मैनेजमेंट,  
पी. बी. नं. — 60, आनन्द,  
गुजरात—388001

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या : 1451/एफ. सं. म. नि./आ. क. (छूट)/जी. 6/कल. 35 (1) (iii)/90-91]  
आर० सिंह, उप निदेशक

Calcutta, the 21st September, 1995

## INCOME-TAX

S.O. 3187.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (iii) for sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of the Income-tax Act, 1961.

## NAME OF THE ORGANISATION

Institute of Rural Management,  
Post Box No. 60, Anand, Gujarat-388001.

This Notification is effective for the period from 1-4-92 to 31-3-95.

NOTE : 1.—Condition (i) above will not apply to organisation categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1451/F. No. DG/IT(E)/Cal/G-6/35(I)(iii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 1995

## आयकर

का.आ. 3188.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के

31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिस्सा को भी प्रस्तुत करेगा।

## संगठन का नाम

रमाण रिसर्च इंस्टीट्यूट,  
सी. भी. रमाण एवेन्यू, सदा शिव नगर,  
बंगलूर—560080

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या : 1452(एफ. सं. म. नि./आ. क. (छूट)/के. टी. 16/35(1)(ii) 90-91]  
आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

## INCOME-TAX

S.O. 3188.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organi-

sation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of the Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Raman Research Institute, C. V. Raman  
Avenue, Sadashinagar, Bangalore-560080,  
Karnataka.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes : 1.—Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1432 F. No. DG/IT(E)/KT-16/35(1)(ii)]  
R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 1995

#### आयकर

क्र.आ. 3189.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहीयां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमार्क कार्यों से संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

#### संगठन का नाम

प्रा. प्र. रा. रमन रिसर्च इंस्टीट्यूट फॉर बैसिक साइंसेस,  
डी. बी. 17, सेक्टर-1, सॉल्ट लेक सिटी,  
कलकत्ता-700064

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे आय-मोदन की अवधि बढ़ाते के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाते के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[पृष्ठ्या : 1453 (एफ. सं. म. नि./आ. क. (छूट)/डब्ल्यू. वी. 28/कल./35 (1) (ii)]  
आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

#### INCOME-TAX

S.O. 3189.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of the Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

S. N. Bose National Centre for Basic  
Sciences, DB-17, Sector-I, Salt Lake City,  
Calcutta-700064.

This Notification is effective for the period from 1-4-95 to 31-3-98.

NOTES : 1.—Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1453 F. No. DG/IT(E)/WB-28/35(1)(ii)]  
R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 95

Calcutta, the 26th September, 1995

## आयकर

## INCOME TAX

का.आ. 3190.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

(1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्य का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन न्यू" मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा—परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों से संबंधित छूट के बारे में लेखा—परीक्षित आय-व्यय हिमाब को भी प्रस्तुत करेगा।

## संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ मैनेजमेन्ट कलकत्ता,  
जोका, डायमण्ड हार्बर रोड,  
पी. बी. नं. 16757  
अलीपुर, कलकत्ता—700027

यह अधिसूचना दिनांक 1-4-94 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की प्रतियां सदिर, वैज्ञानिक व औद्योगिक अनुसंधान प्रति विभाग को प्रस्तुत करना है।

[संख्या: 1454 (एफ. स. स. नि./आ. क. (छूट) / डब्ल्यू.

वी.-31/कल./35/(iii)]

आर. सिंह, उप निदेशक

S.O. 3190.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (iii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Indian Institute of Management,  
Calcutta, Joka, Diamond Harbour Road,  
Post Box No. 16757, P. S. Alipore,  
Pin-700027.

This notification is effective for the period from 1-4-94 to 31-3-95.

Notes: (1) Condition (i) above will not apply to organisation categorised as associations

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1454/E. No. DG/IT(E)/WB-31/35(1)(iii)]

R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 1995

## आयकर

का. आ. 3191.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

(1) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन न्यू" मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिस्चं कार्यों से संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

#### संगठन का नाम

चाण्डा अरोग्या मंडल मैडिकल रिसर्च सोसाइटी,  
पी. सी. नं. 7, जिला—खदिया, जलाम  
विध्या नगर—388120, गुजरात

यह अधिसूचना दिनांक 1-1-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—

1. उपर्युक्त शर्त (1) “संघ” जैसा सर्वग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की छः प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1455 (एफ. सं. म. नि./आ. क. (छूट)/बी. 13/  
कन./35 (1) (ii) 89]

आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

#### INCOME TAX

S.O. 3191.—It is hereby notified for general information that the organisation mentioned below has been approved by the prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 on the Income Tax Act, 1961 under the category “Institution” subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

#### NAME OF THE ORGANISATION

Chaundh Arogya Mandal Medical Research Society,  
PB-No. 7, District Khedia,  
Vallabh Vidyanagar-388120, Gujarat.

This notification is effective for the period from 1-4-1995 to 31-3-1998.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1455/T. No DG/IT(E)/G-13/35(1)(ii)89]  
R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 1995

आयकर

का.आ. 3192—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “विश्वविद्यालय” के सर्वग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहिया रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्चं कार्यों से संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

#### संगठन का नाम

नरेन्द्र दवे, यूनियर्सिटी ऑफ एग्रिकल्चरल एंड डेवेलपमेंट पी. सी. नं. 7, कुमार गंज,  
कंजबाद—224229

यह अधिसूचना दिनांक 1-4-93 से 31-3-94 तक की अवधि के लिए प्रभावी है।



टिप्पणी: 1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिये लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें,। अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र की छः प्रतियां सचिव, वैज्ञानिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या: 1456 (एफ. सं. म. नि./आ. क. (छूट) / यू.पी.  
7/35 (1) (ii)]

आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

#### INCOME TAX

S.O. 3192.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 on the Income Tax Act, 1961 under the category "University" subject to the following conditions :—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

#### NAME OF THE ORGANISATION

Narendra Deva University of Agriculture & Tech.,  
P.O. Kumarganj, Faridabad, U.P. PIN-224229.

This notification is effective for the period from 1-4-1993 to 31-3-1994.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1456/F. No. DG/IT(E)/UP-7/35(1)(ii)]  
R. SINGH, Dy. Director

कलकत्ता, 26 सितम्बर, 1995

#### आयकर

का. धा. 3193.—सर्वसाधारण को एवद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूट" के संवर्ग के अधीन अनुमोदित किया गया है :—

(1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजगा, और

(3) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और प्राप्तर अधिनियम, 1961 की धारा 35(1) में दी गई रिमार्क कार्यों से संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ टेक्नोलॉजी,  
खड़कपुर, पिन-721302  
वेस्ट बंगाल

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की छः प्रतियां सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या: 1457 (एफ. सं. म. नि./आ. क. (छूट)/इन्स्यू.  
बी. 52/35 (1) (ii)]

आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

कलकत्ता, 26 सितम्बर, 1995

## INCOME TAX

## आयकर

S.O. 3193.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of such year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions); (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Indian Institute of Technology,  
Kharagpur, P.O. Kharagpur,  
PIN-721302.  
West Bengal,

This notification is effective for the period from 1-4-1995 to 31-3-1998.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1457 (F. No. DG/IT(E)/WB-52/35(1)(ii)]

R. SINGH, Dy. Director

का.आ. 3194 .—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए ग्रन्थ लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन "न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट) (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्व किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

प्रोफेस इंजीनियरिंग डिजाइनर डेवलपमेंट इन्स्टीट्यूट,  
ए. डी. 161, सल्ट लेक, सीटी,  
सेक्टर—1, कलकत्ता—700064

यह अधिसूचना दिनांक 1-4-93 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूनाय दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में दिए आवेदन-पत्र की छः प्रतियां वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1458 (एफ. सं. म. नि./आ. क. (छूट)/इल्यू. बी. 36/35 (1) (ii)]

आर. सिंह, उप निदेशक

Calcutta, the 26th September, 1995

कलकत्ता, 17 अक्टूबर, 1995

## INCOME TAX

## आयकर

S.O. 3194.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions); (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Process Engineering Design Development,  
Institute,  
AD-161, Salt Lake City, Sector-I,  
Calcutta-700064.

This notification is effective for the period from 1-4-1993 to 31-3-1996.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1458/F. No. DG/IT(E)/WB-36/35(1) (ii)]

R. SINGH, Dy. Director

का.आ. 3195.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "विश्वविद्यालय" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहिया रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परोक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा परोक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

गुलबर्गा यूनिवर्सिटी  
जनाना गंगा  
गुलबर्गा—585106

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

## टिप्पणी :

1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की छः प्रतियां वैज्ञानिक और अनुसंधान विभाग को प्रस्तुत करनी है।

[संख्या 1459/एफ. सं. म. नि./

आ. क. (छूट)/के. टी. 29/कल./35 (1) (ii)/90]

आर. सिंह, उपनिदेशक

Calcutta, the 17th October, 1995

कलकत्ता, 17 अक्टूबर, 1995

## INCOME TAX

## आयकर

S.O. 3195.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category University subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technological Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Gulbarga University,  
Jnana Ganga, Gulbarga-585106.

This Notification is effective for the period from 1-4-94 to 31-3-97.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1459 (F. No. DG/IT(E)/Cal/KT-29/35(1)(ii)]

R. SINGH, Dy. Director

का.आ. 3196.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन/अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन "न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ पैकेजिंग ई. 2, एम. आई. डी. सी. ग्रंथेरी (ईस्ट) बाम्बे-400093.

यह अधिसूचना दिनांक 1-4-93 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की विभाग को प्रस्तुत करना है।

[संख्या : 1460 (एफ. सं. म. नि./आ. क. (छूट)/एम./22/कल/35(1)(ii)]

आर. सिंह, उप निदेशक

Calcutta, the 17th October, 1995

कलकत्ता, 17 अक्टूबर, 1995

## INCOME TAX

## आयकर

S.O. 3196.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category Institution subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technological Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Indian Institute of Packaging,  
E-2, MIDC Area, P.B. No. 9433,  
Chakala, Andheri (East), Bombay-93.

This Notification is effective for the period from 1-4-93 to 31-3-96.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1460 (F. No. DG/IT(E)/Cal/M-122/35(1)(ii)]

R. SINGH, Dy Director

का.आ. 3197.—सर्वसाधारण को सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के तहत आयकर-निर्धारण नियम 6 के अधीन प्रमाणित प्राधिकारी द्वारा निम्नलिखित शर्तों पर, "विश्व विद्यालय" के संघर्ष के अधीन अनुमोदित किया गया है:—

- (1) संगठन/अनुसंधान कार्यों के लिए अलग लेखा बहिया रखेगा।
- (2) वह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक उपस्थित, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिक भवन "न्यू मेहरोली रोड", मई दिल्ली-110016 को भेजेगा, और
- (3) वह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट), जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

इंडियन इन्स्टीट्यूट आफ टेक्नोलॉजी, पावर  
बाम्बे-400076

यह अधिसूचना दिनांक 1-4-95 से 31-4-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संघर्ष के लिए लागू नहीं होगा।

2. संगठन को सूचित दिया जाता है कि ये अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की विभाग को प्रस्तुत करना।

[संख्या : 1461 (एफ. सं. म.नि./आ.क. (छूट)/एन. 121/नव./35(1) (ii)]

आर. सिंह, उप निदेशक

Calcutta, the 17th October, 1995

कलकत्ता, 17 अक्टूबर, 1995

## INCOME TAX

## आयकर

S.O. 3197.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category University subject to the following conditions :—

का.आ. 3198.—यहाँसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के संवर्ग के अधीन अनुसंधान किया गया है :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technological Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

- (i) संगठन अनुसंधान कार्यों के लिए अलग-अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

## NAME OF THE ORGANISATION

## संगठन का नाम

Indian Institute of Technology,  
Powai, Bombay-400076.

कैसर केयार एंड वेलफेयर होम,  
67 जलिन सराणी  
कलकत्ता 700013

This Notification is effective for the period from 1-4-95 to 31-3-98.

यह अधिसूचना दिनांक 3-8-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

टिप्पणी : 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax, Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की प्रति विभाग को प्रस्तुत करना है।

[No. 1461 (F. No. DG/IT(E)/Cal/M-121/35(1)(ii)]

[संख्या : 1462 एक. सं. म. नि./आ. क. (छूट)/उत्प. बी. 55/35(1)(ii)]

R. SINGH, Dy. Director

प्रार. सिंह, उपनिदेशक

Calcutta, the 17th October, 1995

मंककना. 24 अक्टूबर, 1995

## INCOME TAX

## आयकर

S.O. 3198.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technological Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Cancer Centre & Welfare House,  
67, Lenin Sarani, Calcutta-700013.

This Notification is effective for the period from 3-8-95 to 31-3-97.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1462 (F. No. DG/IT(E))Cal/WB-55/35(1)(ii)]

R. SINGH, Dy. Director

का. भा. 3199.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर निश्रम के निश्रम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संघर्ष के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रयोगिकी भवन न्यू मेहरोली रोड, नई दिल्ली 1100016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिगाब को भी प्रस्तुत करेगा।

## संगठन का नाम

विवेकानन्द मेडिकल रिसर्च सोसाइटी विध्या नगर,  
लातूर 413512  
महाराष्ट्र

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संघर्ष के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किंग आवेदन पत्र की विभाग को प्रस्तुत करना है।

[संख्या : 1463 (एफ. सं. म. नि/आ. क. (छूट)/एम. 15/कल/35 (1)(ii)]

आर. सिंह, उप निदेशक

Calcutta, the 24th October, 1995

कलकत्ता, 24 अक्टूबर, 1995

## INCOME TAX

S.O. 3199.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technological Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Vivekanand Medical Research Society,  
Vidya Nagar, Latur-413512,  
Maharashtra.

This Notification is effective for the period from 1-4-95 to 31-3-97.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1463 (F. No. DG/IT(E)/Cal/M-15/35(1)(ii)]

R. SINGH, Dy Director

## आयकर

का.आ.3200.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर विधम के विधम 6 के अधीन विहित प्रावधानों द्वारा निम्नलिखित शर्तों पर "इस्टीमेशन" के संवर्ग के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहीना रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण पत्रिका वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सक्षित, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, मोहोमिनी भवन, "न्यू मेहरोली रोड", नई दिल्ली 110016 को भेजेगा, जोर
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (गुट), जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा परीक्षित आवेदन पत्रिका को भी प्रस्तुत करेगा।

## संगठन का नाम

विवेकानन्द निधि,  
149/1ई, रामविहारी एवेन्यू,  
कलकत्ता-7000 29.

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूचना दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की विभाग को प्रस्तुत करना है।

[संख्या: 1464 (एफ. सं. म. वि./आ. क. (छूट)/डिप्ट. की. 3/कल/35(1)(ii)]

आर. सिंह, उपनिदेशक



Calcutta, the 24th October, 1995

कलकत्ता, 24 अक्टूबर, 1995

## INCOME TAX

आयकर

S.O. 3200.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

## NAME OF THE ORGANISATION

Vivekananda Nidhi,  
149/IE, Rashbehari Avenue,  
Calcutta-700029.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1464 (F. No. DG/IT(E)/Cal/WB-5/35(1)(iii)]

R. SINGH, Dy. Director

2828 GI 95—4.

का. आ. 3201.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) खंड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "इंस्टीट्यूशन" के वर्ग के अधीन अनुमोदन किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा ब्रह्म रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन "न्यू मेहरोली रोड", नई दिल्ली-110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

ठाकुर रिस्च फोण्डेशन  
212, दीन दयाल मार्ग,  
नई दिल्ली-11002

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उक्त शर्त (1) "संघ" जैसा संघर्ष के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या : 1465 (एफ. न. म. नि./आ. क. (छूट)/एन. डी. 40/कल./35(1)(ii)]

आर. सिंह, उप निदेशक

Calcutta, the 24th October, 1995

विदेश मंत्रालय

INCOME TAX

(हज मेल)

नई दिल्ली, 15 सितम्बर, 1995

S.O. 3201—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income Tax Rules, for the purposes of clause (iii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income Tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of section 35 of Income Tax Act, 1961.

NAME OF THE ORGANISATION

Thakur Research Foundation,  
212, Deen Dayal Marg,  
New Delhi-110002.

This Notification is effective for the period from 1-4-95 to 31-3-97.

Notes : (1) Condition (1) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicates and well in advance for further extension of the approval, to the Director General of Income Tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income Tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the secretary, Department of Scientific & Industrial Research.

[No. 1465 F. DG/IT/(E) Cal/ND-40/35(1) (iii)]

R. SINGH, Dy. Director.

का.आ. 3202—हज समिति अधिनियम, 1959 (1959 का 51) की धारा 4 और 5 के साथ पठित धारा 3 के अन्तर्गत प्रदान शक्तियों का प्रयोग करने हुए, महाराष्ट्र विधानसभा के अध्यक्ष ने श्री सलीम जकारिया, विधायक और श्री निहाल अहमद, विधायक के स्थान पर श्री अनीस अहमद, विधायक और श्री बशीर पटेल, विधायक को हज समिति, बम्बई का सदस्य नामित किया है।

[मं. एम(हज)/118-1/22/91]

आर.एल. नारायण, संयुक्त सचिव (ईई/हज)

MINISTRY OF EXTERNAL AFFAIRS

(Haj Cell)

New Delhi, the 15th September, 1995

S.O. 3202—In exercise of the powers conferred under Section 3, read with Section 4 and 5 of the Haj Committee Act, 1959 (51 of 1959) the Speaker, Maharashtra Legislative Assembly, has nominated Shri Anves Ahmed, M.L.A and Shri Basheer Patel, M.L.A as members of Haj Committee, Bombay vice Shri Salim Zakaria, M.L.A and Shri Nihal Ahmed, M.L.A.

[No. M(Haj)/118-1/22/91]

R. L. NARAYAN, Jr. Secy. (HF/Haj)

वाणिज्य मन्त्रालय

(विदेश व्यापार महानिदेशालय)

आदेश

नई दिल्ली, 31 अक्टूबर, 1995

का.आ. 3203—मैसर्स इंडिया ट्राइडेंट मैरी टाइम प्रा. लि., 108 रहेजा चैम्बरस, पहला तल, 213, नारीमन पार्क, बम्बई-400021, को 4 एच पी 2934ए डाट मैट्रिक्स प्रिंटर और प्रिंटर रीबन के 20 बक्सों के आयात हेतु रु. 1,08,000 (एक लाख और आठ हजार केवल) का सीमा शुल्क नियंत्रण प्रयोजन पत्र संख्या पी/जे/3094268 दिनांक 23-8-95 प्रदान किया गया था।

फर्म ने सीमा शुल्क नियंत्रण प्रयोजन पत्र की अनुरूपि इस आधार पर जारी करने के लिए आवेदन किया है कि मूल सीमा शुल्क नियंत्रण प्रयोजन पत्र गुम गया है/खो गया है। इसके अलावा यह भी कहा गया है कि सीमा शुल्क नियंत्रण प्रयोजन पत्र किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं था तथा इसका बिल्कुल भी उपयोग नहीं किया गया था।

2. अपने कथन के समर्थन में, लाइसेंसधारी ने 8-9-95 को नोटरी पब्लिक के समक्ष बाकायदा शपथ लेकर स्टाम्प पेपर पर शपथ पत्र दाखिल किया है। तदनुसार, मैं मन्तुष्ट हूँ कि मूल सीमाशुल्क नियंत्रण प्रयोजन पत्र फर्म द्वारा गुम हो गया है/खो गया है। महानिदेशक, विदेश व्यापार, नई दिल्ली द्वारा जारी का.आ. सं. 1060(अ) दिनांक 31-12-93 के अन्तर्गत मुझे प्रदत्त शक्तियों का प्रयोग करते हुए, मैं इंडिया ट्राइडेंट मैरीटाइम प्रा. लि., बम्बई को जारी किए गए सीमाशुल्क नियंत्रण प्रयोजन पत्र संख्या पी/जे/3094268 दिनांक 23-8-95 को एतद्वारा रद्द किया जाता है।

3. उक्त सीमाशुल्क नियंत्रण प्रयोजन पत्र की अनुलिपि पार्टी को अलग से जारी की जा रही है।

[फा. सं. एसपीएल/एनएस. 6/704/एम. 96/एसएलएस/714]

एच. एल. अस्वाल, उप महानिदेशक, विदेश व्यापार

## MINISTRY OF COMMERCE

(Directorate General of Foreign Trade)

### ORDER

New Delhi, the 31st October, 1995

S.O. 3203.—M/s. India Trident Maritime Pvt. Ltd., 108, Raheja Chambers, 1st Floor, 213, Nariman Point, Bombay-400021, were granted an CCP No. P/I/3094268 dt. 23-8-95 for Rs. 1,08,000/- (One lakh and eight thousand only) for import of 4HP 2934A Dot Matrix Printer and 20 Boxes of Printer Ribbon.

The firm has applied for issue of Duplicate copy of Customs Control Purpose on the ground that the original customs purpose control copy has been lost or misplaced. It has further been stated that the CCP was not registered with any Customs Authority and as such the value of CCP has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public on 8-9-95. I am accordingly satisfied that the original CCP No. P/I/3094268 dt. 23-8-95 has been lost or misplaced by the firm. In exercise of the powers conferred on me under order S.O. 1060(E) dt. 31-12-93 issued by DGFT, New Delhi, the CCP No. P/I/3094268 dt. 23-8-95 issued to M/s. India Trident Maritime Pvt. Ltd., Bombay, is hereby cancelled.

3. Duplicate CCP of the said CCP is being issued to the party separately.

[F. No. SPL/NS. 6/704/AM. 96/SLS/714]

H. L. ASWAL, Dy. Director General of Foreign Trade

नागरिक प्रति, उपभोक्ता मामले और  
सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 3 नवम्बर, 1995

का.आ. 3204.—प्रथिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 3 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा बायबा बाजार अधीन, बम्बई के सदस्य के रूप में केन्द्रीय सचिवालय सेवा की श्रीमती पदमा स्वामीनाथन

की नियुक्ति को 16 सितम्बर, 1995 के पूर्वाह्न से एक और वर्ष की अवधि के लिए या अगला आदेश होने तक जो भी पहले हो, आगे बढ़ाती है।

[मिथिन सं. ए-12011/3/95-प्रशा-I]

आर. के. सिंह, अवर सचिव

MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS  
AND PUBLIC DISTRIBUTION

New Delhi, the 3rd November, 1995

S.O.3204.—In exercise of the powers conferred by the sub-section (2) of Section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby extends the appointment of Smt. Padma Swaminathan, CSS as Member of the Forward Markets Commission, Bombay with effect from the forenoon of 16th September, 1995 for a period of one year or until further orders whichever is earlier.

[F. No. A-12011/3/95-Estt. II]

R. K. SINGH, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 1 दिसम्बर, 1995

का. आ. 3205.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (i) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3328 तारीख 21-11-94 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था ;

और यतः सभ्य प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (i) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय रिलायन्स इन्डस्ट्रीज लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

लेन्ड फॉल पोईन्ट सुवादी से रिलायन्स इन्डस्ट्रीज लि.

हजीरा प्रोप्रेट, मुरत तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला : सूरत	तापुका : चौर्यामी
शिव	सर्वे नंबर	हे. आरे. प्रति-आरे
मोग	148/ए	00 64 00
	230	002 24 80

[मं. अं-12016/1/94-ओ एन जी डी -4]

एम. मार्टिन, डैम्क अधिकारी

## MINISTRY OF PETROLEUM &amp; NATURAL GAS

## SCHEDULE

New Delhi, the 1st December, 1995

S.O. 3205.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3327 dated 21-11-94 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Reliance Industries Ltd., free from encumbrances.

## PIPELINE FROM LAND FALL POINT SUVALI TO RELIANCE INDUSTRIES LTD. HAZIRA PROJECT. SURAT.

State : Gujarat District : Surat Taluka : Choryasi

Village	Survey No.	H.	Are	Prati Are.
Mora	148A	00	64	00
	230	02	24	80

[No. O-12016/4/94—ONG/D 4]

M. MARTIN, DESK Officer

नई दिल्ली, 1 दिसम्बर 1995

का. आ. 3206—यतः केन्द्रीय सरकार ने वेल्ड फाल पोईन्ट सुवाली से रिलायन्स इन्डस्ट्रीज लिमिटेड, हजिरा प्रोजेक्ट, सुरत, तक पाइपलाइन बिछाने के लिए पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3, उपखंड (2) हिन्दी पाठ पृष्ठ सं. 5040 और 5041 पर अधिसूचना सं. 012016/4(1)/94 ओएनजी/डी-4 को का. आ. 3328 तारीख 21 नवम्बर, 1994 और प्रकाशित तारीख 26 नवम्बर, 1994 द्वारा उस अधिसूचना में वर्णित भूमि में उपयोग के अधिकार का अर्जन करने के अपने प्राण्य की सूचना दी थी ;

और, केन्द्रीय सरकार की जानकारी में यह लाया गया है कि उक्त पाइपलाइनों के एलाइन्मेंट में बदलाव आने की वजह से उक्त अधिसूचना से संलग्न अनुसूची में सुधार करना जरूरी है ।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 3 की उपधारा (1) द्वारा प्रशस्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित सुधार करती है ।

राज्य : गुजरात जिला : सूत तालुका : चौर्यासी

पड़िये				के बजाय/के अलावा			
गांव	सर्वे नं.	हे. आर.	प्रति आर.	सर्वे नं.	हेक्टर	आर.	प्रति आर.
सुवाली	63	00	25	63	00	31	68
	67	300	34	67	00	25	34
	68	00	62	68	00	06	34
	76/ए/1/1/ए	02	72				
	76/ए/1/1/1+	00	14				
	76/ए/1/1/बी	00	48				
	76/ए/1/बी	00	16	76/ए/1/1/ए	01	78	99
	176/बी/1						
	446/ए	00	15	446/ए	00	15	00
	498/बी	02	24	498/बी	02	13	68

सर्वे नंबर 71, 59 64, 65, 61+62 और 70 में पाइपलाइन प्रसार न होने के कारण गृह्य किया जाता है ।

ऐसी भूमि में, जिसके बाबत, उपरोक्त सुधार जारी किया गया है, हितबद्ध कोई व्यक्ति उस तारीख से जिसको इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध की जाती हैं, इक्कीस (21) दिन के भीतर उक्त अधिनियम 5 की उपधारा (1) के निबन्धनों के अनुसार उक्त भूमि के संपूर्ण या किसी भाग या ऐसी भूमि में या उस पर उपयोग के अधिकार को अर्जन किये जाने के सम्बन्ध में आक्षेप सहित प्राधिकारी, सुरत एवं बलसोड, जिला गुजरात राज्य सेल तथा प्राकृतिक गैस कोपोरेशन लि., हजिरा प्रोजेक्ट, ई-2, भसटा चैम्बर्स राटोर रोड सुरत को कर सकता है ।

[सं. ओ-12016/4(i)/94-ओ एन जी/डी-4]

एम मार्टिन, डेस्क अधिकारी

New Delhi, the 1st December, 1995

S.O. 3206.—Whereas by the notification No. O/12016/4(i)/94-ONG/D-4 of Government of India in the Ministry of Petroleum and Natural Gas vide S. O. 3328 dated 21st of November, 1994 published in the Gazette of India, Part II, Section 3, Sub-section (i) dated 26th November, 1994, at page no. 5040

and 5041, the Central Govt. gave a notice under sub-section (i) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962) of its intention to acquire the right of user in the lands specified to the schedule appended to that Notification in respect of Land fall pomin Suvali to Reliance Industries Ltd., Hazira Project, Surat, Gujarat State.

And whereas it has been brought to the notice of the Central Government that due to the change in the alignment of the Pipelines the schedule appended to the said Notification needs to be amended.

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 3 of the said Act, the Central Government hereby amends the schedule to the said notification as mentioned below :

State : Gujarat District : Surat Taluka : Choryasi

READ					INSTEAD OF			
Village	Survey No.	H.	Are	Prati Are	Survey No.	H.	Are	Prati Are
Suvali	63	00	25	29	63	00	31	68
	67	00	34	20	67	00	25	34
	68	00	62	20	68	00	06	34
	76/A/1/1/A	02	72	00				
	76/A/A/A Paiki	00	14	00	76/A/1/1/A	01	78	99
	76/A/1/1 Paiki	00	48	00				
	76/A/1/1+	00	16	48				
	176/B/1/446/A	00	15	00	446/A	00	15	00
	498 Paiki	02	24	40	498 Paiki	02	13	68

Survey Numbers 71, 59, 64, 65, 61+62 and 70 are dropped as no pipeline is passing through these lands.

Any person interested in any land in respect of which the above amendment has been issued, may within 21 days from which the copies of this notification are made available to the general public, object to the acquisition of right of user in the whole or any part of the said land or any right in or over such land in terms of sub-section (1) of Section 5 of the

said Act to the Competent Authority for Surat and Valsad Districts in Gujarat State, Oil and Natural Gas Corporation Ltd., Hazira Project, E-2 Mazda chambers, Rander Road, Surat.

[No. O/12016/4(i)/94-ONG/D-4]

M. MARTIN, Desk Officer

श्रम मंत्रालय

नई दिल्ली, 31 अक्टूबर, 1995

क्र.अ. 3207.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एनडूद्वारा 16-11-1995 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 [धारा-76 की उपधारा (1) धारा-77,

78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध हरियाणा राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

क्र.सं.	राजस्व ग्राम का नाम	हदबस्त संख्या	जिले का नाम
1.	जंडली	113	अम्बाला
2.	सलालहेडी	128	अम्बाला
3.	नसीरपुर	115	अम्बाला

[सं. 38013/58/95-एस.एस.-1]

जे.पी. शुक्ला, अवर सचिव

## MINISTRY OF LABOUR

New Delhi, the 31st October, 1995

S.O. 3207.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 16th November, 1995 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the following areas in the state of Haryana namely:—

Sl. No.	Name of Revenue Village	Had Bast No.	Name of District
1.	Jandli	113	Ambala
2.	Salalheri	128	Ambala
3.	Nascerpur	115	Ambala

[No. S-38013/58/95-SS. I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 10 नवम्बर, 1995

pass an Award in terms thereof which forms part of the Award is Annexure.

का.आ.3208—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में भारत कोकिंग कोल लिमि. की बसन्तीमाता कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. -2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-95 को प्राप्त हुआ था।

[संख्या एन-20012/130/90-आई आर(कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th November, 1995

S.O. 3208.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Basantimata Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 9-11-95.

[No. L-20012/130/90-IR (Coal-I)]  
BRAJ MOHAN, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 1 OF 1993

PARTIES :

Employers in relation to the management of Basantimata Colliery of M/s. B.C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. Chatterjee, Area Secretary, R.C.M.S. Union.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 31st October, 1995

## AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(130)/90-I.R. (Coal-I), dated, the Nil.

## SCHEDULE

"Whether the action of the management of M/s. BCCL Area No. 11 in relation to their Basantimata Colliery in denying the payment of wages for the idle period to the workman Shri Mongal Majhi, UG Loader from 1-7-89, 28-7-91 is justified? If not, to what relief the workman concerned is entitled?"

2. In this case both the parties made their appearance but did not file their respective W.S. Subsequently when the case was fixed for W.S., both the parties appeared before me and filed a petition of compromise. I heard both the parties on the said petition of compromise and I do find that the terms contained therein are fair, proper and legal one. Accordingly I accept the said petition of compromise and

D. K. NAYAK, Presiding Officer

## ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT TRIBUNAL, NO. 2, AT DHANBAD REFERENCE No. 1/93

Employers in relation to the Management of Basantimata Colliery

## AND

Their Workmen

Petition of compromise

The humble petition on behalf of the parties to the above reference most respectfully sweth :—

J. That the above dispute has been amicably settled between the parties on the following terms :—

## Terms of settlement

(a) That the age of Sri Mangal Majhi, the concerned workman assessed by the Apex Medical Board of the Company on 17-7-91 as 58 (fifty eight) years become conclusive for the purpose of his superannuation and no dispute subsisted with regard to age of the concerned workman.

(b) That the concerned workman will be paid Rs. 15000 (Rupees fifteen thousand) only towards payment of compensation for the idle period from 1-7-89 till 20-7-91 in full and final settlement of his claim for back wages.

(c) That neither the concerned workman nor any other person on his behalf will raise any dispute in future over his superannuation or wages for idle period.

2. That in view of the above settlement there remains nothing to be adjudicated.

Under the facts a circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the workman

1.

2.

For the Employers

1.

2.

Witness :

1.

2.

नई दिल्ली, 10 नवम्बर, 1995

का.आ. 3209.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में भारत कोकिंग कोल लिमि. की वही बाड़ी कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-95 को प्राप्त हुआ था।

[संख्या एन-20012(33)/93-आईआर (कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th November, 1995

S.O. 3209.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Dahibari Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 9-11-1995.

[No. L-20012(33)/93-IR (Coal-I)]  
BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL (No. 2) AT DHANBAD

#### PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial dispute under Section 10(1)(d)  
of the I.D. Act, 1947

REFERENCE NO. 139 OF 1993

#### PARTIES :

Employers in relation to the management of Dahibari  
Colliery of M/s. BCCL and their workmen.

#### APPEARANCES :

On behalf of the workmen : Shri S. Chatterjee, Area  
Secretary, R.C.M.S.

On behalf of the employers : Shri B. Joshi, Advocate.  
STATE : Bihar. INDUSTRY : Coal.  
Dated, Dhanbad, the 31st October, 1995

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(33)/93-I.R. (Coal-I), dated the 17th/19th August, 1993.

#### THE SCHEDULE

"Whether the action of the management of M/s. B.C.C.L. in relation to Dahibari Colliery in not providing employment to Shri Lakhu Majhi, S/o. late Joty Majhi, Miner Loader Dahibari Colliery is justified ? If not, to what relief dependant of Joty Majhi is entitled ?"

2. In this reference both the parties appeared but only the workmen filed its W.S. Subsequently when the case was fixed for filing W.S. by the management, both the parties appeared before me and filed a Petition of Compromise. I heard both the parties on the said petition of compromise and I do find that the terms contained therein are fair, proper and legal one. Accordingly I accept the said petition of compromise and pass an Award in terms thereof which forms part of the Award as Annexure.

D. K. NAYAK, Presiding Officer.

#### ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOV-  
ERNMENT INDUSTRIAL TRIBUNAL, No. 2 DHANBAD  
Ref. No. 139/93

Employers in relation to the management of Dahibari  
Colliery & Their workmen.

#### PETITION OF COMPROMISE

The humble petition on behalf of the parties to the above  
reference most respectfully sweath :-

That, in absence of police verification Report due to  
change of permanent home address of Shri Lakhu Manjhi,  
S/o Jey Manjhi, the case of employment was pending for

further verification and according to further police verification report the management has already issued appointment letter to Sri Lakhu Manjhi and as such the above disputes has been amicably settled between the parties that there is no dispute.

Under the facts and circumstances, stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the no dispute Award.

For the workmen.

For the Employers.

(1)

(2)

Witnesses :

(1)

(2)

(1)

(2)

नई दिल्ली, 13 नवम्बर, 1995

का.शा. 3210—औद्योगिक विवाद अधिनियम, 1947  
(1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार  
दूर संचार के प्रवर्तन के मध्य नियोजकों और उनके  
कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में  
औद्योगिक अधिनियम, हैदराबाद के पक्षों को प्रमाणित करती  
है, जो केन्द्रीय सरकार को 9/11/95 को प्राप्त हुआ था।

[संख्याएल-40012/166/93 आईआर (डीयू)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13th November, 1995

S.O. 3210.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecom and their workmen, which was received by the Central Government on 9-11-95.

[No. L-40012/166/93-IR(DU)]

K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT  
HYDRABAD

#### PRESENT :

Sri A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I.

Dated, 31st day of August, 1995

Industrial Dispute No. 42 of 1994

#### BETWEEN

Shri M. Mohd Zakariya,  
Ex-casual Mazdoor, Telecom,

D. No. 3/128/3, Sanginapet, Gudur,

Nellore District.

.. Petitioner.

#### AND

The Telecom District Engineer,

Telecom Department, Nellore.

.. Respondent.

#### APPEARANCES :

Sri K. Janardhana Rao, Advocate for the Petitioner.

Sri P. Damodar Reddy, Addl. Standing Counsel for Cen-  
tral Government for Respondent.

## AWARD

This is a reference made under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 (hereinafter called the Act) by the Government of India, Ministry of Labour, by its Order No. L-40012/166/93-IR(DU), dated 24-6-1994 for adjudication of the industrial dispute annexed in the schedule which reads as follows:

"Whether the action of the management of the Department of Telecom, Nellore in terminating the services of Sri M. Md. Zakariya is justified? If not, to what relief the workman concerned is entitled to?"

The said reference has been registered as Industrial Dispute No. 42 of 1994 on the file of this Tribunal.

2. On behalf of the Petitioner-workman, a claim statement has been filed to the following effect. The Petitioner was appointed as Casual Mazdoor in Telecom Department on daily wage basis as per Memo dated 5-2-1984 of Sub-Divisional Officer, Telecom, Gudur and he worked upto 31-1-1985 without any break. During 1985 in pursuance of the advertisement in the newspaper "Hindu" stating that who have worked 240 days as casual mazdoor are eligible for appointment in Telecom Department, the petitioner applied for the said post and he was appointed as casual mazdoor on 4-2-1990 by the Sub-Divisional Office, Telecom and he worked till 30-6-1990. He was dis-engaged for sometime. Again the petitioner was re-engaged from 1-8-1990 and he worked for 25 days only and again disengaged. The petitioner was re-engaged for 26 days in the month of October, 1990. The petitioner was re-engaged by the Sub-Divisional Officer, Telecom, Podalakur from 16-2-1991 to 31-5-1991 without any break. The Petitioner was re-engaged by the Sub-Divisional Officer, Telecom, Gudur w.e.f. 1-6-1991 to 31-12-1991, thereafter he was disengaged. The Sub-Divisional Officer, Telecom, Kavali engaged the petitioner workman w.e.f. 1-2-1992 to 31-5-1992 without any break. The Petitioner suffered with back ache with multiple authorities from 1st June 1992 to 25th September, 1992. After recovery from ill-health, the Petitioner approached the Sub-Divisional Officer, Telecom, Kavali on 26-9-1992 and requested to take him to duty and submitted a medical certificate for the period from 1-6-1992 to 25-9-1992 issued by the Government Assistant Surgeon, Government Hospital, Gudur but the Sub-Divisional Officer, Telecom, Kavali refused to reengage the petitioner. The petitioner also made a request to Sub-Divisional Officer, Telecom at Podalakur to reengage him into service but they have rejected his request. The petitioner worked as casual mazdoor in Telecom Department in Nellore District since 1984. The services of his juniors are being regularised w.e.f. 1-4-1994. The services of the candidates with breaks in service were also being considered for regularisation and they are being continued in the department. It is not the case of the Respondent that there is no work to be allotted to the petitioner. The Respondent is not reengaging the petitioner without considering the medical certificate produced by him. The petitioner is a poor person without having any assets to support his livelihood. The petitioner is the only bread-winner in his family. Hence the Petitioner requests this Tribunal to direct the Respondent Department to re-engage the petitioner to service in any suitable post and regularise his services from the date of his initial appointment with back wages, continuity of service and other consequential benefits.

3. On behalf of the Respondent a counter has been filed to the following effect. The Petitioner was selected as Casual Mazdoor to work in Gudur Telecom Sub-Division through Memo dated 5-2-1984. He was not appointed regularly. He worked as casual mazdoor in Gudur Sub-Division from January 1984 to the end of January 1995 with a break of one month in November, 1984. Subsequently he abstained from February, 1985 to 3-2-1990 i.e. for more than 5 years continuously on his own accord and not due to disengagement by the Respondent. The Petitioner approached the Department authorities for engaging him in February 1990 although the Petitioner was absent for more than 5 years continuously. He was engaged as mazdoor in Gudur Sub-Division from 4-2-1990 as a special case. Again the petitioner was irregular in his duties with frequent breaks between July 1990 to May 1992. The Petitioner abstained from work during the period on his own accord and he was

not disengaged by the Department as mentioned in their petition. The Respondent is not at all responsible for the break of more than five years from February 1985 to January 1990. The Medical Certificate produced by the petitioner is without any date. A perusal of the Medical report it is clear that it was obtained after completion of the treatment. The petitioner ought to have submitted the medical certificate immediately after falling ill. The said medical certificate is invalid as it is not dated by the Medical Officer who issued it. Hence the Respondent refused to take back the petitioner into service as per the Departmental rules. The Petitioner also failed to apply for condonation of break in service from the competent departmental authorities. As per the Departmental Circulars dated 7-8-1991 and 21-10-1992 the Petitioner is not entitled for reengagement as mazdoor. The provisions of Section 25-F of the I.D. Act are not applicable to this case as the petitioner himself absconded from duty w.e.f. 1-6-1992 onwards. The Respondent has reason to believe that the Petitioner was gainfully employed during the period from February 1985 to 3-2-1990 and also from June 1992 onwards. The services of the petitioner were not terminated. There is no work to provide to the petitioner now. There are no merits in the claim of the petitioner. The petitioner himself deserted the employment on his own and not evinced any interest in the job. Hence the petitioner is not entitled for any relief under this reference.

4. On behalf of the Petitioner-workman W.W.1 is examined and Exs. W-1 to W-3 are marked. The Petitioner got himself examined as W.W.1 and he deposed to the averments in the claim statement. Ex. W1 is the order dated 5-2-1984 of appointment of the petitioner as casual mazdoor to work in the Telecom Department on daily wages. Exs. W2 and W3 are the two books containing the working days particulars of the petitioner. No oral or documentary evidence is adduced on behalf of the Respondent-Telecom. The details of the documents Exs. W1 to W3 are appended to this Award.

5. The points that arise for consideration are:

- (1) Whether the Respondent-Management is justified in terminating the services of the Petitioner M. Mohd. Zakariya?
- (2) To what relief the petitioner is entitled?

6. POINT (1).—The Petitioner as W.W.1 deposed that he was engaged as Casual Mazdoor on daily wages basis in the Respondent-Department as per the orders under Ex. W1 dated 5-2-1984, that he continuously worked till 31-1-1985. Ex. W2 is the working days particulars of the Petitioner till 31-1-1985. The petitioner further deposed that after 31-1-1985 he was stopped from duty on the ground that there was no work in the Department and that he was not engaged for above five years, and that he was re-engaged as casual mazdoor from 4-2-1990 to 31-5-1992, and Ex. W3 is the book containing the working days particulars for that period. It is also in the evidence of Petitioner as W.W.1 that he suffered from backache from 1-6-1992 to 25-9-1992. It is also in his evidence that after his recovery from ill-health, he approached the Sub-Divisional Officer, Telecom, Kavali on 26-9-1992 and requested him for re-engagement as casual mazdoor and that his request was refused. It is also in his evidence that he produced the Medical Certificate for the period from 1-6-1992 to 25-9-1992 issued by the Assistant Surgeon, Government Hospital, Gudur. But the said medical certificate is not produced before this Tribunal. The petitioner is now claiming that the Respondent may be directed to engage him as casual mazdoor and that his seniority may be restored and to pay back wages. The learned counsel for the petitioner submits that no oral or documentary evidence has been adduced on behalf of the Respondent Department and therefore the evidence of the petitioner goes un-rebutted.

7. The reference has been made to decide the justifiability of the action of the Respondent-Management in terminating the services of the petitioner-workman. But there is nothing on record to show that the Respondent terminated the services of the petitioner at any point of time. It is not the case of the petitioner that his services were terminated with effect from 1-6-1992. On the other hand the petitioner as W.W.1 has categorically stated that he could not attend for duty w.e.f. 1-6-1992 due to backache and that he took treatment from 1-6-1992 to 25-9-1992 and that he obtained Medical Certificate for that period from the Assistant Sur-



surgeon, Government Hospital, Gudur. The said certificate is also not filed before this Tribunal. It is clear from the evidence of the Petitioner himself that there is no removal or retrenchment of the petitioner by the Respondent-Management. On the other hand the evidence of the petitioner goes to show that the petitioner himself failed to attend to duty w.e.f. 1-6-1992 due to his ill-health and that he was under medical treatment. Further it is also clear from Exs. W2 and W3 the books containing the working days particulars of the petitioner that he was not regular in his duties. For more than five years he was not available for being engaged by the Respondent. As seen from Ex. W3 the petitioner was not available for engagement during July 1990 and from 1st September, 1990 to 15-2-1991 and again from 1-8-1991 to 9-8-1991, again during the whole month of January 1992. Even according to the Petitioner, due to ill-health he was not available for being engaged from 1-6-1992 to 25-9-1992. The learned counsel for the petitioner workman submits that the petitioner when reported for duty after his recovery from ill-health on 26-9-1992 the Respondent failed to take him back from into service as Casual Mazdoor, that the services of the juniors of the petitioner are being regularised as Casual Mazdoors. It is no doubt true that the petitioner worked for more than 240 days. But as earlier stated the petitioner failed himself to make available for being engaged as casual mazdoor for a period of five years from 1-2-1985 to 3-2-1990 and again he was also absent for sometime during the period from 4-2-1990 to 31-5-1992 and continuously absent from 1-6-1992 onwards. Admittedly the post of casual mazdoor is not a regular post. The petitioner cannot claim to be appointed as of right as and when he appears before the Respondent. The engagement of the casual mazdoor depends upon the availability of work and the necessity for engaging him. The petitioner cannot have any grouse against his juniors as they might have been engaged during the absence of the petitioner also. There is also nothing on record to show that the petitioner workman had informed the Respondent-Management about his inability to attend to the work on account of his ill-health. Considering the circumstances in this case, the petitioner cannot have a claim for being re-engaged automatically. But in view of his earlier engagement as casual mazdoor for a pretty long time, the Respondent-Management should consider the claim of the petitioner for being engaged as casual mazdoor afresh as and when there is work and his name may also be included in the approved list of casual mazdoors.

8. In the light of my above discussion, I hold on Point (1) that there is no termination of the services of the petitioner-workman by the Respondent and on the other hand, the petitioner himself was not available for engagement as casual mazdoor w.e.f. 1-6-1992.

9. POINT (2).—This point relates to the relief to be granted to the Petitioner workman. Considering the previous service of the petitioner workman as casual mazdoor, the Respondent-Management is directed to engage the petitioner workman as casual mazdoor afresh as and when work is available and that his name may also be included in the approved list of casual mazdoors. The petitioner workman is not entitled for his seniority as casual mazdoor and for back wages.

10. In the result, an Award is passed stating that there is no termination of the services of the petitioner workman by the Respondent-Management and that the Respondent is directed to engage the petitioner workman as casual mazdoor afresh as and when the work is available and that his name may also be included in the approved list of casual mazdoors. The petitioner workman is not entitled for his seniority as casual mazdoor and for back wages. The parties are directed to bear their costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 31st day of August, 1995.

A. HANUMANTHU, Industrial Tribunal-I  
APPENDIX OF EVIDENCE

Witnesses Examined

for Petitioner :

W.W.1 Md. Zakariya.

Documents marked on behalf of the Petitioner :

Ex. W1/5-2-84—Appointment order issued to W.W.1.

2828 GU/95—5.

Witnesses Examined

for Respondent :

Nil.

Ex. W2/5-2-84—Working days particulars book for the period from 1-1-1984 to 31-1-1985.

Ex. W3/5-2-84—Working days particulars book for the period from 4-2-1990 to 31-5-1992.

Documents marked on behalf of the Respondent :  
Nil.

नई दिल्ली, 13 नवम्बर, 1995

का.आ.3211.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचण में, केन्द्रीय सरकार दूर-संचार के प्रबंधनत्व के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9/11/95 को प्राप्त हुआ था।

[संख्या एन-40012/240/92-आईआर (डीयू)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13th November, 1995

S.O. 3211.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Telephones and their workmen, which was received by the Central Government on 9-11-95.

[No. I-40012/240/92-IR (DU)]  
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT  
HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., I.L.B., Industrial Tribunal-I.

Dated, 31st day of August, 1995

INDUSTRIAL DISPUTE No. 34 OF 1994

BETWEEN

Sri K. Nagaraju, S/o K. Yedukondalu,  
465, Jawahar Nagar, Yousufguda,  
Hyderabad-500045.

.. PETITIONER

AND

The General Manager, Hyderabad,  
Telecom District Suryalok Complex,  
Hyderabad Pin 500033.

... RESPONDENT

APPEARANCES :

Sri C. Suryanarayana, Advocate for Petitioner.

Sri P. Damodar Reddy, Advocate for Respondent.

AWARD

This is a reference made under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 (hereinafter called the Act) by the Government of India, Ministry of Labour, by its Order No. I-40012/240/92-IR(DU), dt. 12-4-1994 for adjudication of industrial dispute annexure in its schedule which reads as follows :

"Whether the management of M/s. General Manager, Telephones, Hyderabad is justified in terminating the services of Sri K. Nagaraju w.e.f. 1-1-87? If not, to what relief he is entitled to?"

The said reference has been registered as Industrial Dispute No. 34 of 1994 on the file of this Tribunal.

2. On behalf of the Petitioner-workman a claim statement has been filed to the following effect. The Petitioner belongs to Adi Andhra Community, that his date of birth is 9-12-54, that he passed S.S.C. examination in 1975 as a private candidate, soon after he registered his name in the Employment Exchange in Hyderabad that the Petitioner was engaged by the Respondent as Casual mazdoor, under the jurisdiction of the Junior Engineer, Telephones (Works) Saifabad (East) Sub-Division, Hyderabad-4 from 27-4-1981 to 20-6-1984. Thereafter till 30-4-1985 the Petitioner was not given any employment on the ground that there was not enough work for workmen. Therefore, the Petitioner was not employed. During the period from 1-5-1986 to 31-12-1986 the petitioner was employed for 243 days as casual mazdoor. Thereafter he fell sick due to back pain and he was under the treatment of Dr. Abbas Hussain from 1-1-1987 to 9-1-1988. The Petitioner was declared fit from 10-1-1988. The petitioner made a representation to the Respondent for his employment submitting the Doctor's Medical Fitness Certificate, but the Petitioner was not reinstated into service though his juniors were continued who were recruited in 1985 and 1988. The said juniors are still continuing in service and thus discrimination is shown against the Petitioner. The petitioner submitted representations to the Respondent on 17-5-1985 and 14-2-1989 for reinstatement but it was rejected by the Respondent by his order d. 26-6-1989. The Petitioner made further representation on 31-1-1991 but there is no response. The Respondent employed unapproved casual mazdoors like P. Suvarna Kumar, Venkatesh, A. Salya Murthy but the Respondent failed to reinstate him. The petitioner was retrenched from service without complying with the mandatory provisions of Chapter V-A of the Act. Therefore, the petitioner's retrenchment is illegal, null and void and hence he is entitled for reinstatement into service with continuity of service and back wages and to all other attendant benefits.

3. On behalf of the Respondent, the Government Pleader made his appearance. In spite of several chances given to him, the Respondent failed to file his counter. Hence the Respondent has been set ex parte on 22-4-1995.

4. On behalf of the Petitioner workman W.W1 is examined and Exs. W1 to W5 are marked. The Petitioner-workman got himself examined as W.W1 and he deposed to the averments in his claim statement. The details of the documents Exs. W-1 to W-5 marked on behalf of the Petitioner are appended to this Award. No oral or documentary evidence has been adduced on behalf of the Respondent.

5. The points that arise for consideration are:

(1) Whether the Respondent-Management General Manager, Telephones, Hyderabad is justified in terminating the services of the Petitioner K. Nagaraju w.e.f. 1st January, 1987?

(2) To what relief the petitioner is entitled?

6. POINT (1).—The Petitioner as W.W1 deposed that he was engaged as casual mazdoor in Respondent-Department in April, 1983 that he continued to work till June 1984. Ex. W1 is the Certificate issued by the Junior Engineer, Telephones, Saifabad (East) Sub-Division to the effect that the petitioner herein had worked in his unit as casual mazdoor from 27th April, 1981 to 20th June, 1984. W.W1 also deposed that he was not engaged by the Respondent upto April, 1986 and that he was engaged in April, 1986 upto December 1986 for a period of 240 days and Ex. W2 is his working days particular during the year 1986. W.W1 also deposed that he was not engaged by the Respondent upto April, 1987 that he took treatment for back pain for one year and he also obtained medical certificate Ex. W3, and after recovery from ill-health when the Petitioner approached the Respondent, he was refused to be taken back into service stating that there is no work to be entrusted and that his juniors are still in service. Ex. W4 list of persons engaged by the Respondent who were juniors to him. He also stated that he submitted the representation to the Respondent on 17th May 1988 and 14th February, 1989. Ex. W5 is the reply received from the Respondent. As earlier stated the Respondent remained ex-parte. He did not choose to file his

counter nor adduced any oral or documentary evidence disputing the claim of the petitioner-workman. Hence the evidence of the petitioner-workman goes un-challenged.

7. As seen from Ex. W1 the certificate issued by the Junior Engineer, Telephones, the petitioner had worked as casual mazdoor from 27th April, 1981 to 20th June, 1984. As seen from Ex. W2 the petitioner worked as casual mazdoor from 1st May, 1986 to 31st December, 1986 continuously for a period of 243 days. These particulars under Ex. W2 have been issued by the Junior Engineer, Telephones and it has also been countersigned by the Sub-Divisional Officer. There is no reason to disbelieve this document and the oral testimony of W.W1. As seen from these documents the petitioner did not work from 21st June, 1984 to 30th November, 1986. Thus there is a gap of more than one year. Again the petitioner was engaged as casual mazdoor from 1st May, 1986 to 31st December, 1986 continuously for 243 days. Thereafter the petitioner did not work. It is not the case of the petitioner workman that he was removed from service w.e.f. 1st January, 1987 by the Respondent. On the other hand he has categorically admitted in his evidence that he did not attend to duty w.e.f. 1st January, 1987 due to his ill-health and that he took treatment for back pain for one year. Ex. W3 is the Xerox copy of the Medical Certificate issued by Dr. Abbas Hussain to the effect that the petitioner was under treatment from 1st January, 1987 to 9th January, 1988 and that the petitioner was physically fit to resume to his duty from 10th January, 1988. Therefore, the petitioner was not removed/retrenched from service w.e.f. 1st January, 1987. On the other hand the evidence of the petitioner as W.W1 goes to show that the petitioner himself failed to attend to duty w.e.f. 1st January, 1987 due to his ill-health and that he was under medical treatment. There is nothing on record to show that the Respondent-Management removed the petitioner from services w.e.f. 1st January, 1987 as mentioned in the reference.

8. It is contended on behalf of the Petitioner workman that the Petitioner, when reported for duty after his recovery from ill-health, the Respondent-Management failed to take him back into service as casual mazdoor while the juniors to the petitioner were continuing in service. Obviously the petitioner was working only as casual Mazdoor. It is no doubt true that he worked for 243 days continuously during the period from 1st May, 1986 to 31st December, 1986. Thereafter the petitioner failed to make available himself for being engaged as casual mazdoor for a period of more than one year. According to him, he made himself available only after restoration of his health and that he was not reinstated. Admittedly the post of casual mazdoor is not a regular post. The petitioner cannot claim to be engaged as of right as and when he appears before the Respondent-Management. The engagement of casual mazdoor depends upon the availability of work and the necessity for engaging him. The petitioner cannot have any grouse against his juniors for they might have been engaged while the petitioner was undergoing medical treatment. There is also nothing on record to show that the petitioner workman had informed the Respondent-Management about his inability to attend to the work on account of his ill-health. Considering the circumstances in this case the Petitioner cannot have a claim for being reengaged automatically. But in view of his earlier engagement as casual mazdoor for a period of three years prior to 1984 and for about 7 months during the year 1986 the Respondent-Management should consider the claim of the petitioner for engagement as casual mazdoor afresh as and when there is work and his name may also be included in the approved list of casual mazdoors.

9. In the light of my above discussion, I held on point (1) that there is no termination of the services of the petitioner w.e.f. 1st January, 1987 by the Respondent-Management and on the other hand that the Petitioner himself was not available for engagement as casual mazdoor w.e.f. 1st January, 1987.

10. POINT (2).—This point relates to the relief to be granted to the petitioner-workman. Considering the previous service of the petitioner as casual mazdoor, the Respondent-Management is directed to engage the petitioner-workman as casual mazdoor afresh as and when work is available and

that his name may also be included in the approved list of casual mazdoors. The Petitioner-workman is not entitled for his seniority as casual mazdoor and for back wages.

11. In the result, Award is passed stating that there is no termination of the services of the petitioner-workman by the Respondent-Management w.e.f. 1st January, 1987 and that the Respondent is directed to engage the petitioner-workman as casual mazdoor afresh as and when work is available and that his name may also be included in the approved list of casual mazdoors. The petitioner-workman is not entitled for his seniority as casual mazdoor and for back wages. The parties are directed to bear their costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 31st day of August, 1995.

**A. HANUMANTHU, Industrial Tribunal-I**  
**Appendix of Evidence**

Witnesses Examined for the Petitioner:  
W.W1—K. Nagaraju.

Witnesses Examined for the Respondent:  
NIL.

Documents marked for the Petitioner:

- Ex. W1—Xerox copy of the service certificate from 27th April, 1981 to 20th June, 1984.
  - Ex. W2/9-1-87—Xerox copy of the service certificate during 1986.
  - Ex. W3/9-1-88—Xerox copy of the Medical Advice Certificate.
  - Ex. W4—Xerox copy of the list furnished by D.E. accommodating casual mazdoors.
  - Ex. W5/26-6-89—Xerox copy of the letter of Respondent in reply to the representation of the petitioner.
- Documents marked for the Respondent : Nil

नई दिल्ली, 13 नवम्बर, 1995

का.आ.3212.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पी एण्ड टी के प्रबन्धतन्त्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9/11/95 को प्राप्त हुआ था।

[संख्या एल-40012/96/93-आईआर (सीयू)]  
के बी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13th November, 1995

S.O. 3212.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of P&T and their workmen, which was received by the Central Government on 9th November, 1995.

[No. L-40012/96/93-IR(DU)]

K. V. B. UNNY, Desk Officer

**ANNEXURE**  
**BEFORE THE INDUSTRIAL TRIBUNAL-I AT**  
**HYDERABAD**

**PRESENT:**

Sri. A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I  
Dated: 14th day of August, 1995  
Industrial Dispute No. 80 of 1994

**BETWEEN**

Sri C. Pratap Reddy,

Guntur Village, Vallur Mandal, Petitioner.  
Kamalapuram (Tq.) Cuddapah (Dist. (AP).

**AND**

The Sub-Divisioned Officer Respondent.  
Vs.

Telecom., Proddutur-516360.

**APPEARANCES**

S/Shri J. V. Lakshmana Rao, R. Yogender Singh, Advocates—for the Petitioner.

Sri. P. Damodar Reddy, Addl. Standing Counsel for Central Government—for Respondent.

**AWARD**

This is a reference made under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 (hereinafter called the Act) by the Government of India, Ministry of Labour by its Order No. L-40012/96/93-IR(DU), dated 30th September, 1994 for adjudication of the dispute mentioned in the schedule which reads as follows:

"Whether the action of the management of P&T, Proddutur in terminating the services of Shri C. Pratap Reddy, w.e.f. 1st March, 1990 is proper, legal and justified? If not, to what relief the workman concerned is entitled?"

The said reference has been registered as Industrial Dispute No. 80 of 1994 on the file of this Tribunal.

2. On behalf of the Petitioner, a claim statement has been filed to the following effect. The Petitioner was originally appointed as casual mazdoor in the office of the Respondent i.e. Sub-Divisional Officer, Telecom., Proddutur in Cuddapah District in November, 1983. He was continued in service till April, 1984. He was discharged from service w.e.f. May, 1984. The Petitioner was once again taken back to duty from 1st April, 1989 and he was continued in service without any break till February, 1990. He was again disengaged from service from First March, 1990 on the ground of no work. The Petitioner had put in more than 240 days of continuous service. The Petitioner was assured that he will be taken back into service depending upon the availability of work. But the Petitioner was not, subsequently, taken back into service. But his juniors were allowed to continue in service in addition to the recruitment of fresh casual mazdoors. His representations were not considered, fresh candidates were recruited in preference to the petitioner in violation of Section 25-H of the I.D. Act. As per Departmental instructions contained in O.M. No. 49014/4/90 dated 8th April, 1991 the petitioner is entitled to continue in service having completed 240 days in service in preference to juniors continued and fresh recruits. The petitioner is also entitled for confirmation of temporary status as per instructions contained in the letter of the Director General, Telecom, New Delhi, dated 7th November, 1989. The petitioner has been denied employment arbitrarily and illegal and against the rules in force in the Telecom Department. The Petitioner submitted an application before the Regional Labour Commissioner, Hyderabad, on 24th/25th November, 1992. The conciliation proceedings ended in failure and failure report was submitted by the Conciliation Officer. The Petitioner has been discharged from service w.e.f. 1st March, 1990 in violation of provisions of the Act. The Petitioner is unemployed ever since the date of his termination and he could not secure any alternative employment inspite of his best and honest efforts. Hence the Petitioner prays that he may be reinstated into service with all back wages and attendant benefits including confirmation of temporary status.

3. On behalf of the Respondent, the Government Pleader filed Memo of Appearance, but subsequently no counter has been filed on behalf of the Respondent and he is called absent and set ex-parte. Thus the Respondent did not choose to contest the matter even though he is served with notice.

4. On behalf of the Petitioner W.W1 is examined and Exs. W1 to W8 are marked. The Petitioner-workman C. Pratap Reddy is examined as W.W1 and he deposed to the averment in the claim statement. Exs. W1 to W8 are the xerox copies of the Medical certificates issued for the examination of the workman. Ex. W6 is the working days particulars of the petitioner. Ex. W7 is the mazdoor card containing the

working days particulars of the Petitioner. Ex. W8 is the xerox copy of the termination notice issued to the Petitioner by the Respondent. No oral or documentary evidence has been adduced on behalf of the Respondent.

5. The points for consideration are :

- (1) Whether the action of the Respondent in terminating the services of the petitioner C. Pratap Reddy w.e.f. 1-3-1990 is justified ?
- (2) To what relief the workman C. Pratap Reddy is entitled ?

6. POINT (1) :—As seen from the evidence of the workman examined as W.W1 and the documents Exs. W6 and W7, the petitioner was engaged as casual mazdoor under the Respondent w.e.f. November 1983 and he continued in service till the end of April, 1984. The petitioner was once again engaged in April, 1989 and allowed to continue to work till February 1990. He was disengaged from service from March 1990. It is in the evidence of W.W1 that he was not engaged during the period from May 1984 on account of his ill-health and that on is representation he was once again engaged as casual mazdoor from April, 1989 and he worked till his services were terminated in March 1990. Ex. W6 is the book containing the working days particulars of the petitioner and Ex. W7 is the mazdoor card containing the working days particulars of the petitioner. As seen from these documents, the petitioner had worked for more than 240 days during the period from April 1989 to February 1990 continuously. The recitals in Exs. W6 and W7 corroborate the oral testimony of W.W1 with regard to his engagement as casual mazdoor in the office of the Respondent and his working in that capacity for more than 240 days. Admittedly the Respondent remained exparte though notice was served on him. The Government Pleader filed Memo of appearance on behalf of the Respondent but subsequently no counter has been filed controverting the allegations of the petitioner in the claim statement. Further no oral or documentary evidence has been adduced on behalf of the Respondent disputing the claim of the petitioner. Hence the evidence adduced on behalf of the Petitioner goes unchallenged.

7. It is settled law that the definition of 'retrenchment' in Section 2(oo) of the Act is a comprehensive one intended to cover any action of the Management to put an end of the employment of an employee for any reasons whatsoever except if the case falls within the accepted categories i.e. (1) termination by way of punishment inflicted pursuant to the disciplinary action, (2) voluntary retirement of the workman, (3) retirement of the workman on reaching the age of superannuation in which contract of employment between the employer and workman concern contains a stipulation in that behalf, or (4) termination of the services on the ground of continued ill-health. Once the case does not fall in any of the expected categories, the termination of services will be retrenchment within the meaning of expression Section 2(oo) of the Act vide D. K. YADAV v. IMA INDUSTRIES LTD., (1993 (3) Supreme Court cases 259), L. ROBERT D'SOUZA v. EXECUTIVE ENGINEER SOUTHERN RAILWAY & ANOTHER (AIR 1982 S. C. page 9854), ORIENTAL BANK OF COMMERCE v. PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ANR. (1994 (II) LLJ page 770 Rajasthan). In the instant case, the services of the Petitioner-workman have been terminated w.e.f. 1-3-1990 and the said termination does not fall within any of the excepted categories under Section 2(oo) of the Act. Therefore, the termination of the petitioner amounts to retrenchment as defined in Section 2(oo) of the Act.

8. The next aspect to be considered is whether the Respondent Management followed the mandatory provisions contained in Section 25-F of the Act in effecting the retrenchment of the petitioner. The conditions precedent for effecting the retrenchment of the workman as contained in Section 25-F of the Act are applicable only for retrenchment of workmen who was in continuous service for not less than one year. Section 25-B of the Act defines continuous service of one year. As seen from Exs. W6 and W7 the petitioner was in service during the period from November, 1983 to April, 1984 and again from April, 1989 to February 1990. It is no doubt true that the Petitioner was out of service for the period from May 1984 to March 1989. But the petitioner comes within the definition of "demand to be in continuous service of one

year" as defined in Sub-Section (2) of Section 25-B of the Act. Under this Sub-Section (2) of Section 25-B the workman shall be deemed to be in continuous service under the employer for a period of one year if the workman working during the period of 12 calendar months preceding the date of termination to which calculation is to be made as actual working under the employer for not less than 120 days in the case of employee below ground and 240 days in other cases. In the instant case, it is in the evidence of the petitioner that he was retrenched from service w.e.f. 1-3-1990. Therefore, the calculation of one year period has to be made preceding 1-3-1990. As seen from the entries in Exs. W6 and W7 the total number of days worked during the period from March 1989 to February 1990 comes to more than 240 days. Therefore, the petitioner should be deemed to be in continuous service of one year before he was retrenched from service w.e.f. 1-3-1990. Hence while retrenching the petitioner, the Respondent ought to have followed the mandatory provisions contained in Section 25-F of the Act. It is in the evidence of W.W1 that the Respondent issued one month notice, the original of Ex. W8 before his services were terminated and it is indicated in this notice that the services of the petitioner are retrenched for want of work. But the Petitioner was not paid the retrenchment compensation equivalent to 15 days average pay in compliance of provisions under Section 25-F of the Act. Further it is also in the evidence of W.W1 that his juniors were allowed to continue in service while he was retrenched from service and that subsequently also his claim for re-employment was not considered when fresh recruits were employed. Thus there is also violation of provisions under Sections 25-G and 25-H of the Act. As earlier stated this evidence of W.W1 is not controverted by the Respondent Management. Thus the Respondent did not comply with the preconditions as prescribed under Section 25-F of the Act before effecting the retrenchment of the petitioner. Therefore the retrenchment of the petitioner is illegal and void.

9. In the light of my above discussion I hold on Point (1) that the action of the Respondent-Management in terminating the services of the workman C. Pratap Reddy w.e.f. 1-3-1990 is not justified.

10. POINT (2) :—It is well settled that if the services of an employee are terminated in violation of Section 25-F of the Act, the retrenchment is rendered ab initio void and the employee would be entitled to be reinstated into service along with his back wages vide GAMMON INDIA LIMITED v. NIRANJAN DAS (1984 (1) SCC page 559) and NAROTHAM CHOPRA v. PRESIDING OFFICER, LABOUR COURT AND OTHERS (1988 (4) SLR page 388). In the instant case, admittedly there is abnormal delay on the part of the Petitioner-workman in approaching the Regional Commissioner of Labour seeking redressal of his grievance. It is averred in para 2 of his claim statement that the workman filed application before the Regional Labour Commissioner, Hyderabad on 24/25-11-1992, though his services were terminated with effect from 1-3-1990. The reference has been made to this Tribunal by the Government of India by its order dt. 30-9-1994. No explanation is forthcoming on the part of the petitioner for the said abnormal delay in approaching the Regional Labour Commissioner for redressal of his grievances. Considering the circumstances of his case, it would meet the ends of justice if the petitioner workman is awarded reinstatement with back wages from the date of the reference made by the Government of India i.e. 30-9-1994 to this Tribunal.

11. In the light of my above discussion, I hold on Point (2) that the petitioner workman is entitled for reinstatement forthwith and with back wages from 1-10-1994 and with continuity of service. He is also entitled for protection of his seniority among the casual mazdoors employed by the Respondent.

12. In the result, Award is made directing the Respondent to reinstate the workman Sri C. Pratap Reddy into service as casual mazdoor forthwith and the petitioner is entitled for back wages from 1-10-1994 and with continuity of service. He is also entitled for protection of his seniority among the casual mazdoors employed by the Respondent. The Respondent is directed to pay the arrears towards the back wages to the petitioner within a period of six months from the date of publication of this Award failing which the arrear amount will carry interest at 12 per cent per annum. The parties are directed to bear the cost.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 14th day of August, 1995.

A. HANUMANTHU, Industrial Tribunal-I

Appendix of Evidence :

Witnesses Examined for  
the Petitioner :  
W.W.1 C. Pratap Reddy,

Witnesses Examined for  
the Respondent :  
NIL

Documents marked for the Petitioner :

- Exs. W1 to W5 : Xerox copies of Medical Certificates submitted to the Respondent.  
Ex. W6 : Working days particulars book.  
Ex. W7 : Mazdoor Card containing particulars of work.  
Ex. W8 6-2-90 : Notice xerox copy issued to the petitioner.

Documents marked for the Respondent :

NIL

नई दिल्ली, 13 नवम्बर, 1995

का.आ.3213—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा संचार के प्रबन्धतन्त्र के संबद्ध निरोजनों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-95 को प्राप्त हुआ था।

[संख्या एल-40012/93/93-आईआर(डीयू)]  
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13th November, 1995

S.O. 3213.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Telecom and their workmen, which was received by the Central Government on 9-11-1995.

[No. L-40012/93/93-IR (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT  
HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I.

Dated, 26th day of August, 1995

Industrial Dispute No. 78 of 1994

BETWEEN

U. V. Sarga Rao, S/o Appala Naidu,  
Casual Mazdoor under respondents  
Uttaravalli, Marakamuddidam Mandalam,  
Vizianagar District .. Petitioner

AND

1. The Telecom Distt. Engineer,  
Vizianagar-531202.
2. The Sub-Divisional Officer,  
Telecom, Bobbili-532558 .. Respondents

## APPEARANCES :

Sri C. Saryanarayana and R. Yogender Singh Advocates—for the Petitioner.

Sri P. Damodar Reddy, Advocate—for Respondents 1 and 2 (set exparte).

## AWARD

This is a reference made under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 (hereinafter called the Act) by the Government of India, Ministry of Labour by its Order No. L-40012/93/93-IR (DU), dated 30-9-1994 for adjudication of the industrial dispute mentioned in the schedule which reads as follows :—

“Whether the DET Vizianagaram is justified in refusing reinstatement to Shri U. V. Surya Rao with effect from 21-3-1987 without back wages but with protecting seniority. If not to what relief the workman is entitled to ?”

This reference has been registered as Industrial Dispute No. 78 of 1994 on the file of this Tribunal. After receipt of the notices issued by this Tribunal the Petitioner-Workman engaged a counsel to file his claim statement. On behalf of the Respondent the Government Pleader and his Vakalat and sufficient time was taken by him for filing a counter. Ultimately the Respondent failed to file counter and on 8-3-1995 the Respondent and his Counsel called absent and there was no representation and as such the Respondent was set exparte.

2. On behalf of the Petitioner-workman a claim statement has been filed to the following effect. The Petitioner-workman attended for selection as outdoor casual mazdoor by the second Respondent and he was appointed as such and he was informed to that effect by the letter dated 26-2-1983. He was selected for employment in P&T Department as casual labour on daily wages. He worked from 20-3-1983 to 21-3-1987 intermittently. He was not employed subsequent to 21-3-1987. He representation for reemployment met with no replies from the Respondent. He complained to the Chief General Manager, Telecom, Andhra Pradesh, Hyderabad. In January 1990 requesting to condone his break in service and to issue the order to enlist his name in the seniority list so that he could be employed according to his turn in the seniority list. While his representation was pending the second Respondent issued the seniority list of casual mazdoors under his Memo dated 5-1-1990 but the petitioner's name was not included in that list which included several names of his juniors. The Respondent by his letter dated 19-12-1989 informed the second Respondent that as there is break in service for six months in the service of the petitioner herein and as such he has not been included in the seniority list as on 30-6-1988. The Chief General Manager, Telecom, A.P. Hyderabad informed the petitioner by his letter dated 9-1-1990 stating that the Petitioner has not sufficient muster roll days in the years 1986-87 and 1987-88 and as such his name is not included in the casual mazdoors seniority list as on 30-6-1988 and that there are orders not to select fresh casual mazdoors after 30-3-1985. Thus there is contradictory information given by the Respondent Nos. 1 and 2 to the Petitioner workman. The petitioner workman raised the industrial dispute before the Regional Labour Commissioner (Central), Hyderabad on 8-11-1992. The first Respondent filed his counter before the Conciliation Officer but the conciliation could not be effected and the Regional Labour Commissioner (Central) submitted his failure report to the Government of India, Ministry of Labour, New Delhi and thereafter this reference has been made to this Tribunal. The Petitioner therefore, prays that the Petitioner's non-employment from 21-5-1987 onwards amounts to retrenchment in terms of Section 2(oo) of the I. D. Act, that the said retrenchment is illegal, null and void for non-compliance of the mandatory provisions of Chapter V-A of the I. D. Act and that the Petitioner is entitled for reinstatement though without back wages from the date of his retrenchment i.e. 21-3-1987 till he filed the complaint before the Regional Labour Commissioner (Central) Hyderabad but with back wages from that date and for protection of his seniority and all other attendant benefits.

3. As earlier stated, no counter has been filed on behalf of the Respondents 1 and 2.

4. On behalf of the Petitioner workman, WW-1 is examined and Exs. W-1 to W-13 are marked. The Petitioner got himself examined as WW-1 and he deposed to the averments in his claim statement. No oral or documentary evidence have been adduced on behalf of the Respondents 1 and 2. The details of the documents Exs. W-1 to W-13 filed on behalf of the Petitioner-Workman are appended to this Award.

5. The points that arise for consideration are :

(1) Whether the Petitioner's non-employment from 21-3-1987 onwards amounts to retrenchment and if so, whether the said retrenchment is illegal, null and void for non-compliance of mandatory provisions of Chapter V-A of the I. D. Act ?

(2) To what relief the petitioner-workman is entitled ?

6. POINT (1)—It is in the evidence of Petitioner as WW-1 that he registered his name in the Employment Exchange before his name was sponsored by the Employment Exchange for selection as casual mazdoor, that on 4-2-1983 the second Respondent gave a letter (original of Ex. W-1) calling him for interview, that the interview was held on 10-2-1983 and that he was selected in the said interview and that under the original of Ex. W-2 he was asked to join duty and that he was employed w.e.f. 16-2-1983 as casual mazdoor. It is also in his evidence that he was employed till the end of March 1987 and that he was stopped from work thereon on the ground that there was no work. It is also in his evidence that he was employed for a total period of 701 days till the end of March, 1987, that he was engaged as and when the work was available. Ex. W-7 is the working days particulars of the petitioner issued by the second Respondent. Exs. W-3 and W-4 are the representations of the workman. Ex. W-5 is the xerox copy of the letter dated 19-12-1989 from Respondents 1 and 2 informing that the workman has not break in service for more than six months and as such his name was not included in the seniority list as casual mazdoor on 30-6-1988. Ex. W-6 is the letter of the Chief General Manager dated 9-1-1990 addressed to the Petitioner stating that his name was not included in the casual mazdoor seniority list as he did not have sufficient muster days during the years 1986-87 and 1987-88. Ex. W-8 is the seniority list of casual mazdoors dated 5-1-1990. Ex. W-9 is the copy of the representation of the petitioner to the Regional Labour Commissioner (Central) Hyderabad. Ex. W-10 is the counter filed by the Respondent before the Conciliation Officer. Ex. W-11 is the rejoinder filed by the petitioner to Ex. W-10. Ex. W-12 is the minutes of conciliation proceedings dated 30-4-1993 and Ex. W-13 is the failure report submitted by the Conciliation Officer. This evidence of the Petitioner-workman as WW-1 goes un-rebutted as the Respondents did not choose to adduce any oral or documentary evidence on their behalf. Under the original of Ex. W-1 the Petitioner was called for interview for selection as casual mazdoor under the original of Ex. W-2 the petitioner was selected and he was directed to join duty as casual mazdoor and the petitioner was engaged on 16-2-1983. As seen from Ex. W-7, the working days particulars given by the second Respondent on 27-5-1988 the petitioner herein worked for 701 days during the period from 16-2-1983 to 1-3-1987 intermittently. There is no continuity of service of the petitioner throughout that period. It is in the evidence of WW-1 that he was discontinued from service w.e.f. 21-3-1987. It is not disputed that the Petitioner herein comes under the definition of 'workman' as defined under Section 2(s) of the I. D. Act.

7. It is contended on behalf of the Petitioner that the Petitioner was retrenched in violation of provisions of Section 25-F of the I. D. Act w.e.f. 21-3-1987 and as such retrenchment of the petitioner is null and void. Section 2(o) of the I. D. Act defines retrenchment as follows :

"Retrenchment means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

(a) voluntary retirement of the workman or

(b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf or

(bb) termination of the service of the workman as a result of the non-renewal of the contract of the employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein or

(c) termination of the service of a workman on the ground of continue ill-health".

Section 25-F of the Act prescribed the conditions precedent to retrenchment of a workman and it reads as follows :

"Conditions precedent to retrenchment of workman—  
No workmen employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice, wages for the period of the notice;

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay (or every completed year of continuous service) or any part thereof in excess of six months and

(c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the Official Gazette)".

8. As seen from the evidence of the Petitioner as WW-1 he was not engaged with effect from 21-3-1987. It is settled law that the definition of retrenchment in Section 2(o) of the Act is comprehensive one intended to cover any action of the management to put an end to the employment of an employee for any reasons whatsoever except if the case falls within any of the excepted categories i.e.

(i) termination by way of punishment inflicted pursuant to the disciplinary action ;

(ii) voluntary retirement of the workman,

(iii) retirement of the workman on reaching the age of superannuation in the contract of employment between the employer and workman concerned contains a stipulation in that behalf, or

(iv) termination of the service on the ground of continued ill-health. Once the case does not fall in any of the excepted categories, the termination of service amounts to retrenchment within the meaning of the expression of Section 2(o) of the Act vide *D. K. Yadav v. IMA Industries Ltd.*, [1993 (3) Supreme Court Cases 259], *L. Robert D'Souza v. Executive Engineer Southern Railway and Anr.* (AIR 1982 S.C. page 9854), *Oriental Bank of Commerce v. Presiding Officer, Central Government Industrial Tribunal Anr.* [1994 (II) LLJ, page 770 Rajasthan]. In the present case the services of the Petitioner workman were terminated with effect from 21-3-1987 and the said termination does not fall within any of the excepted categories under Section 2(o) of the Act. Therefore, the termination of the Petitioner amounts to retrenchment as defined in Section 2(o) of the I. D. Act.

9. The next aspect to be considered is whether the Respondent Management followed the mandatory provisions contained in Section 25-F of the I. D. Act in effecting retrenchment of the petitioner. The conditions precedent for effecting retrenchment of the workman contained in

Section 25-B of the Act are applicable only for retrenchment of a workman who was in continuous service for not less than one year. Section 25-B of the Act defines continuous service for one year. Under Sub-Section (2) of Section 25-B of the Act, workman shall be deemed to be in continuous service under the employer for a period of one year if the workman worked during the period of 12 calendar months preceding the date of termination to which the calculation is to be made as actual working under the employer for not less than 120 days in the case of employee employed below ground and 240 days in other cases. In the instant case it is no doubt true that the petitioner workman worked from 16-2-1983 till 20-3-1987 intermittently. He did not work continuously during the said period. According to the Petitioner, he was retrenched from service w.e.f. 21-3-1987. Therefore the calculation of one year period under Sub-Section (2) of Section 25-B of the Act has to be made preceding 21-3-1987. As seen from the entries in Ex. W-7 the total number of days worked by the petitioner during the period from 21-3-1986 to 20-3-1987 comes to 109 days. Therefore the presumption under Sub-Section (2) of Section 25-B of the Act that the petitioner workman was deemed to be in continuous service of one year before he was retrenched from service is not available to him as he had worked for less than 240 days in that 12 months period preceding the date of retrenchment i.e. 21-3-1987. Therefore, while retrenching the services of the petitioner, the Respondent need not follow the mandatory provisions contained in Section 25-B of the Act. As such the retrenchment of the petitioner cannot be said to be illegal or void.

10. In the light of my above discussion, I hold on Point (1) that the retrenchment of the petitioner workman w.e.f. 21-3-1987 is not illegal and void.

11. POINT (2)—This point relates to the relief to be granted to the Petitioner-workman. In view of my finding on Point (1) that the retrenchment of the petitioner-workman is not illegal and void, the Petitioner-workman is not entitled for reinstatement and other relief as prayed for.

12. In the result, Award is passed stating that DET Vizianagaram is justified in refusing reinstatement of the petitioner U. V. Surya Rao w.e.f. 21-3-1987 and that the petitioner is not entitled for any relief in this reference. The parties are directed to bear their costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 26th day of August, 1995.

A. HANUMANTHU, Industrial Tribunal-I

#### Appendix of Evidence

#### Witnesses Examined

on behalf of the Petitioner :

WW-1—U. V. Surya Rao.

Witnesses Examined

on behalf of the Respondent

NIL

#### Documents marked for the Petitioner

Ex. W-1/4-2-88—Xerox copy of the call letter for selection of casual mazdoors regarding.

Ex. W-2/26-2-83—Xerox copy of the Memo dated 26-2-1983.

Ex. W-3/... —Representation submitted to the Chief General Manager, Telecom, Hyderabad for the post of casual mazdoor by WW-1.

Ex. W-4/-1-90—Representation submitted to the Chief General Manager, Telecom, Hyderabad for the post of casual mazdoor by WW-1.

Ex. W-5/19-12-89—Xerox copy of the letter dated 19-12-1989 from the Telecom Engineer, Vizianagaram, to SDO Telecom-Bobbili.

Ex. W-6/9-1-90—Order of the Chief General Manager, Telecom, A.P., to WW-1.

Ex. W-7 ... —Working days particulars issued by S.D.O., Bobbili.

Ex. W-8/5-1-90—Service list of casual mazdoors dated 5-1-90.

Ex. W-9 ... —Copy of complaint made under Section 2-A of the I. D. Act by the petitioner.

Ex. W-10 ... —Xerox copy of the brief written comments filed by the Respondent.

Ex. W-11 ... —Rejoinder filed by the workman to Ex. W-10.

Ex. W-12/30-4-93—Minutes of conciliation.

Ex. W-13 ... —Report of conciliation officer submitted to the Government of India.

Documents marked for the Respondent

NIL

नई दिल्ली, 14 नवम्बर, 1995

का.आ. 3214—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचना में, केन्द्रीय सरकार फैसले देक वि. के प्रसवतत के संकट निषेजकों और उनके कर्मचारों के बीच, प्रमुख में निर्दिष्ट औद्योगिक विवाद में लेकर फोर्टे, इरनाकुलम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13 नवम्बर, 1995 को प्राप्त हुआ था।

[स. एन-12012/169/91-आई.आर.बी.-III/बी-1]

पी. जे. माईकल, ईरनाकुलम अधिकारी

New Delhi, the 14th November, 1995

S.O. 3214.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Federal Bank Ltd. and their workmen, which was received by the Central Government on 13-11-1995.

[No. L-12012/169/91-IR B.II(BI)]

P. J. MICHAEL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT,  
ERNAKULAM

(Labour Court, Ernakulam)

(Wednesday, the 20th day of September, 1995)

PRESENT:

Shri Varghese T. Abraham, B.A., LL.M., Presiding Officer.

Industrial Dispute No. 15 of 1992(C)

BETWEEN

The Chairman, The Federal Bank Ltd., P.B. No. 103, Alwaye-683101, Ernakulam District, Kerala.

AND

The General Secretary, Federal Bank Employees Union, Central Office : P.B. No. 10, Alwaye-683101, District Ernakulam, Kerala.

REPRESENTATIONS:

M/s. B. S. Krishnan Associates,  
Advocate, Kachi-16

For Management.

Sri M. Ramachandran,  
Advocate, Kachi-17.

For Union.

AWARD

The Government of India as per order No. L-12012/169/91-IR.B.II dated 2-9-92 referred the following issue for adjudication :—



"Whether the action of the management of Federal Bank Ltd., in imposing the punishment of withholding one increment with cumulative effect of the workman Sri V. T. Joseph vide order No. PIR S-9/5040/91 dated 6-9-91 is justified? If not, to what relief the workman is entitled to?"

2. The workman was charge sheeted by the management for the misconduct of wilful in subordination/Disobedience of lawful and reasonable order of superiors and doing acts prejudicial to the interest of the management/Bank. He was in charge of cash section at Erattayar branch of the bank on 11-8-88, a Saturday at about 11.40 a.m. on that day one K. M. Yohannan, a customer tendered a sum of Rs. 2,20,000 in bundles of hundred rupees denomination for credit of his amount with the bank and for simultaneous withdrawal of Rs. 1 lakh, by presenting a cheque for the said amount. But the workman did not accept the money. He has also not paid Rs. 1 lakh, when the cheque was presented. Sri V. D. Rajan, Manager in charge on that day instructed the workman to accept the cash and complete the transaction. But the workman did not comply with his direction. So the customer returned at 12.15 p.m. without getting any service from the bank. To the show cause notice he submitted an explanation which was not acceptable to the management. Hence Sri Mathew T. Oomen, Personnel Officer was appointed as the enquiry officer. He conducted an enquiry and found the workman guilty of the charge. He was given an opportunity to represent his stand with regard to the proposed punishment. The original proposal was to impose stoppage of two increments with cumulative effect which was reduced to one increment with cumulative effect after hearing the workman. The appellate authority dismissed his appeal. The above said order of withholding of one increment with cumulative effect is under challenge in this reference.

3. The union filed a claim statement that he played a vital role in organising the strike during 1987-88 and this infuriated the management and vindictive approach is shown towards him. The enquiry is vitiated by violation of principles of natural justice. The enquiry officer had adopted a partisan approach. He was not given a fair opportunity to prove his innocence. According to him, being a Saturday he could not close the transaction single-handed the cash in small denominations. The customer was appalled of the position and he had no complaint at that time. But in order to wreak vengeance against the workman the complaint was solicited and disciplinary proceedings are initiated. The enquiry officer had relied on the interested testimony of Sri V. D. Rajan who was in charge of the branch on that day. Defence evidence was not taken into consideration. Charges are fabricated. The evidence is manipulated with ulterior motive. For the refusal to cash the cheque for Rs. 1 lakh, there was no sanction. The punishment is excessive.

4. The management filed a counter contending inter-alia that the enquiry was conducted in accordance with the principles of natural justice, that the workman was given sufficient opportunity to participate in the enquiry, that the management took a lenient view in the matter of punishment. The Federal Bank employees union was the only union for the staff and all the workers participated in the strike. Union activities of the workman were never taken as a reason for starting disciplinary action. Contrary allegations are denied. Findings are supported by legal evidence. A customer offered the amount in bundles of hundred rupees denomination. He ought to have accepted the amount. Since the amount tendered by the customer could not be deposited with the bank, passing of the above cheque was impossible. If the workman had accepted the money there could not have been complaint. Punishment is not excessive.

5. Ext. M1 is marked. No oral evidence adduced.

6. Heard both sides.

7. Points with emerge for consideration are:—

- (i) Whether the domestic enquiry against the workman is legal, valid and proper?
- (ii) Whether the findings of the enquiry officer are supported by evidence?
- (iii) Whether the punishment imposed on the workman is excessive?

8. Points 1 to 3.—Ext. M1 is marked on consent of both sides. On going through Ext. M1, it can be seen that the

enquiry officer conducted the enquiry from the start to the finish with meticulous care and he adopted the principles of fair play and natural justice. Nothing is shown as to how the domestic enquiry is vitiated. I had gone through the entire file. The workman was represented by his representative. MW1 examined by the enquiry officer was the manager in charge of the branch on that day. He has spoken in support of the contentions raised in the written statement. The fact that the customer by name Yohannan tendered Rs. 2,20,000 in bundles of Rs. 100 denomination is spoken to by him. The workman has no case that there was no tender. On the other hand a glance at the claim statement will show that there is no denial of the tender made by the customer. MW1 was cross-examined at length. But nothing is elicited in cross-examination to negative the cause MW2 is one K. V. John, Manager of Pulickamaly branch. On 13-6-88 when he came to the office he was told by the customer that he came to the branch before 12 O'clock in the noon to remit cash into his OD/CC account and that the workman did not receive the amount. MW3 is the customer. He had corroborated the case set up by the management. His version is that at about 11.45 a.m. on 11-6-88 he offered Rs. 2,20,000 at Erattayar Branch and that the delinquent did not receive the amount. He would further swear that as it was a Saturday he hired a taxi from Kattappana so as to reach the bank at 11.30 a.m. So MW3 has also supported the management's case. All these witnesses were effectively cross-examined by the workman. The enquiry officer on valid reasons supported by evidence came to the conclusion that the charge against the workman is proved. I see no infirmity in the conduct of domestic enquiry. Violation of principles of natural justice is not discernible in Ext. M1. Thus from the beginning till the end the enquiry officer conducted the enquiry truly and honestly in accordance with the principles of natural justice. So the domestic enquiry and the consequent findings are legally valid, proper and sustainable.

9. This is a case in which an employee of the bank caused hardship and inconvenience to a customer. Banking business depends upon the courteous behaviour of the employees and their co-operation with the customers refused to receive the amount tendered by a customer is not only a serious misconduct but also has effect of tarnishing the image of the bank and also has the effect of affecting the business growth of the bank. The management ought to have given the maximum penalty of dismissal. Instead the management took a different and lenient view and imposed only withholding one month's increment with cumulative effect. It is only a flea bite punishment. The customers must have confidence in the employees. The employees of the bank shall never cause inconvenience to the customers. In the case on hand a customer is put to great hardship and inconvenience. Yet the management took only a lenient view. The punishment is not excessive. No interference is called for. Points so found against the workman.

10. In the result, the reference is answered holding that the action of the management in withholding one increment with cumulative effect of the workman Sri V. T. Joseph is justifiable and hence he is not entitled to get any relief under industrial law.

VARGHESE T. ABRAHAM, Presiding Officer

Ernakulam,

20-9-1995.

#### APPENDIX

#### APPENDIX

Exhibit marked on the side of Management:

Ext. M1.—Enquiry file in respect of domestic enquiry conducted against Sri V. T. Joseph.

नई दिल्ली, 15 नवम्बर, 1995

का. घा. 3215.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में भारत कोकिंग कोल लिटि. की बसन्ती-माता कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में,



केन्द्रीय सरकार प्राथमिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10/11/95 को प्राप्त हुआ था।

[संख्या-एल-20012/230/93—आई आर (कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 15th November, 1995

S.O. 32 JS.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Basantimata Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 10th November, 1995.

[No. L-20012/230/93-IR (Coal-I)]  
BRAJ MOHAN, Desk Officer  
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947

Reference No. 197 of 1994

#### PARTIES:

Employers in relation to the management of Basantimata Colliery of M/s. B.C.C.L. Ltd  
AND

Their Workmen.

#### PRESENT:

Shri P. K. Sinha, Presiding Officer.

#### APPEARANCES:

For the Employers—Shri B. Joshi, Advocate

For the Workmen—None

STATE: Bihar

INDUSTRY: Coal

Dated, the 6th November, 1995

#### AWARD

By Order No. L-20012(230)/93-IR (Coal-I) dated 29th July, 1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of M/s. B.C.C.L. Area No. XII in relation to Basantimata Colliery in denying correction of age of workman, Shri Mathan Majhi, Trammer, Basantimata Colliery and retiring him on superannuation w.e.f. 14th June, 1993 is justified? If not, what relief is the concerned workman entitled to?"

2. The order of reference was received in this Tribunal on 9th August, 1994. Thereafter notice was issued to the sponsoring Union to file written statement which was received by it. Despite several adjournments no written statement was filed on behalf of the workmen. Thereafter a last chance was given to the sponsoring Union to file written statement. Even on 1st November, 1995 none appeared on behalf of the workman.

3. Therefore, it appears that neither the sponsoring Union nor the concerned workman is interested in prosecuting the present reference.

4. Under such circumstances I render a 'no dispute' award in the present reference.

P. K. SINHA, Presiding Officer

नई दिल्ली, 15 नवम्बर, 1995

का. आ. 3216.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम पेड्डापल्ली के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुवध में निविष्ट औद्योगिक विवाद में डिप्टी सी. एल. सी. (सी) की के. रामा कृष्णा का आरबिट्रेशन अवार्ड के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15/11/95 को प्राप्त हुआ था।

[संख्या एल—40011/17/95—आईआर (डी. यू. )]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 15th November, 1995

S.O. 3216.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the arbitration award of Shri K. Ramakrishna, Dy. Chief Labour Commissioner (C) Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom. Peddapalli and their workmen, which was received by the Central Government on 15th November, 1995.

[No. L-40011/17/95-IR (DU)]  
K. V. B. UNNY, Desk Officer

#### ANNEXURE

ARBITRATION AWARD IN THE INDUSTRIAL DISPUTE BETWEEN SDOT, PEDDAPALLI AND ALL INDIA TELECOM EMPLOYEES UNION, KARIMNAGAR OVER "ALLEGED ILLEGAL TERMINATION OF SERVICES OF MR. K. PRASAD RAO, EX-MAZDOOR, PEDDAPALLI

#### PARTIES PRESENT:

For Management:

Shri S. Lingaiah,  
S.D.O.T., Peddapalli,  
Karimnagar (Dist.),  
PIN 505172.

For Workman:

1. Shri A. Rajamouli,  
Area Secretary,  
AITEU Line Staff & Group 'D',  
6-1-14, Ashok Nagar,  
Karimnagar-505001.

2. Shri K. Prasad Rao,  
S/o Shri K. Nageswara Rao,  
Near Old Samithi Office,  
Ramireddypet,  
Narasaraopet-522601.

The Government of India, Ministry of Labour vide notification No. L-40011/17/95-IR.(DU) dated 21st April, 1995/5th May, 1995 referred the ID between SDOT, Peddapalli and All India Telecom Employees Union regarding "Alleged illegal termination of services of Mr. K. Prasad Rao, Ex-Mazdoor, Peddapalli for my arbitration.

Hearing in the above case was held on 26th June, 1995 and concluded the same day. The issue involved in the dispute is as to whether SDOT, Peddapalli had illegally terminated the services of Shri K. Prasad Rao, Ex-Mazdoor, Peddapalli or not and in case of illegal termination what relief can be given to Shri K. Prasad Rao, Ex-Mazdoor.

The admitted facts by both the parties in the dispute are as under:

(1) That Shri K. Prasad Rao, has worked under SDOT during the period from 1st September, 1987 to 31st March, 1989.

(2) He has worked for 482 days during the said period.

- (3) He has worked 273 days in a period of 12 months prior to alleged illegal termination of services w.e.f. 1st April, 1989.

According to SDOT, firstly the services of Shri K. Prasad Rao were never terminated at all. Shri K. Prasad Rao left the services on his own.

Secondly, as per departmental proceedings only persons engaged prior to 31st March, 1985 are entitled to regularisation.

Thirdly, there is delay on the part of Shri K. Prasad Rao in raising the ID through his union viz., while the alleged illegal termination of services was w.e.f. 1st April, 1989, the ID was raised only in May, 1994 thus after a period of 5 years.

The Area Secretary to the Union in reply to the above objections stated as below:—

- (1) Shri K. Prasad Rao has not left the services on his own. He has asked not to attend duty w.e.f. 1st April, 1989 and such action is

(A) in contravention of S. 25F of Industrial Disputes Act, 1947 and

(B) in contravention of Notice of P&T department No. D.S. P&T No. 269/130/78-STN dated 1st October, 1984.

- (2) 31st March, 1985 is not a cut-off date for regularising the services of casual mazdoors in the Telecom department. It is because of the following reason:

According to Supreme Court's Judgement dated 27th October, 1987 in W.P. No. 373 of 1986:

"The Administrative decision to retrench all those that were employed after 1st April, 1989 therefore no longer holds good. In fact, all those that are employed after 1st April, 1985 even if they had continued for one year are entitled for absorption."

Again in the Judgement dated 27th March, 1991 of Central Administrative Tribunal, Hyderabad in 147 cases:

"The Casual Mazdoors who were engaged after 30th March, 1985 will be given all benefits in accordance with the decision of Supreme Court in Ramgopal & Others v. Union of India & Others in W.O(C) No. 1280/89".

- (3) The concerned worker is not well conversant with the law and rules. When he came to know that his juniors like Shri P. Murali and Shri Kanakiah have been re-engaged and doing work in the department he approached the Union Representative to know the remedy available under Industrial Disputes Act, 1947 and raised the Industrial Dispute. In between he met his SDOT, Peddapalli for 4 or 5 times and they promised him to take back into service. All this caused delay and the delay required to be condoned.

In this connection, by way of clarification, Shri S. Lingaiah, SDOT, Peddapalli clarified that Shri P. Murali and Shri Kanakiah were given job because of judgements of Industrial Tribunal and CAT respectively.

Shri K. Prasad Rao was examined by me on oath. He stated during examination that Shri S. Kanakiah, sub-Inspector, Telegraphs informed him not to come for duty w.e.f. 1st April, 1989 and he had joined duty after 31st March, 1985 and as per departmental instructions, he would not be confirmed. During cross-examination, he denied that he left the employment on his own. He admitted that he did not work in February, 1989 as he had to attend to death anniversary of his Father etc. In the re-examination, he informed that whenever he went to his native place, he has

unarmed sub-inspector of Telegraphs. He has come back and worked in March 1989.

From the arguments advanced, evidences recorded and Court cases cited, the following facts emerge:

- (1) The Industrial dispute relating to illegal termination of the services of Shri K. Prasad Rao was raised at a delayed stage. It is however, to be noted that no time limit for raising an Industrial dispute has been prescribed in the Industrial Disputes Act, 1947. The employee has explained certain convincing circumstances for the delay. It is a fact that his juniors have been reinstated following a court verdict. Likewise, there were good number of court cases filed against P&T department on the issue of regularisation. The employer himself has agreed for arbitration on this issue. For all these reasons delay in raising the Industrial Dispute is not considered as a serious lapse.
- (2) According to P&T department, the employee has left the services on his own. But the P&T department did not prove this fact with any documentary proof or explained any circumstance to prove their statement. The evidence of Shri K. Prasad Rao and the surrounding circumstances go to prove that the employee has not left the services on his own but he has been asked not to attend duties after 31st March, 1989. It is an admitted fact that the employee has worked for more than 240 days in a period of 12 months preceding his alleged termination date and so being the case the provisions of Section 25(F) have not been violated. Thus his termination is illegal and the employee therefore requires relief.
- (3) In view of the Court cases and re-instatements given by the P&T department the argument that only persons engaged prior to 31st March, 1995 are entitled to get regularisation does not stand.

Keeping the above facts and circumstances in view, I give my "AWARD" as below:

- (1) Shri K. Prasad Rao is entitled to be reinstated into his service within 15 days from the date of commencement of this award.
- (2) Shri K. Prasad Rao will not be entitled to any back wages as he was not diligent enough like his other colleagues to seek remedy through CIRM or other Courts.
- (3) Shri K. Prasad Rao will however be entitled to back wages from 16th day of the commencement of the Award until he is reinstated into his service of the P&T department.

Dated this 28th day of July, 1995.

K. RAMAKRISHNA, Dy. Chief, Labour Commissioner  
(Central)  
Bangalore & Arbitrator.

मई दिहली, 15 नवम्बर, 1995

का. घा. — औद्योगिक विवाह अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार डाकघर के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाह में केन्द्रीय सरकार औद्योगिक अधिकरण कारपर के पंचपद प्रकाशित करती है, जो केन्द्रीय सरकार को 15/11/95 को प्राप्त हुआ था।

[संख्या एच—40012/152/90—आई आर (जी.य.)]

के. वी. बी. उन्नी, डैस्क अधिकारी

New Delhi, the 15th November, 1995

S.O. 3217.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Post office and their workmen, which was received by the Central Government on 15-11-95.

[No. L-40012/152/90-I.R. (DU)]

K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM LABOUR COURT PANDU NAGAR DEOKI  
PALACE ROAD KANPUR

Industrial Dispute No. 64 of 1991  
In the matter of dispute between

Brij Lal  
s/o L Har Prasad  
75 Lalpura Jhansi

AND

Assistant Superintendent  
Post Offices  
Jhansi Division  
Jhansi

#### AWARD

1. Central Government, Ministry of Labour, vide its notification no. L-40012/152/90-I.R. (D.U.) dt. 19-4-91 has referred the following dispute for adjudication to this Tribunal—

Kya Pravar Adhikshak Dakghar Jhansi Mandal Jhansi dwar Sri Brij Lal son of L Har Prasad Bhootpurva Chowkidar ko dinank 12-6-87 se sewa se nishakishit karne ki Karyawahj nyayochit hai? Yadi nahi to sambandhit karmkar k's anutosh ke haqdar hai?

One Brij Lal was posted as Watchman with Assistant Superintendent Post Offices Jhansi. He died in harness. Hence on compensationate ground his son concerned workman Brij Lal was appointed in his place on 2-2-87. Later on his services were dispensed with w.e.f. 12-6-87 on the ground that he had remained absent for the past two months without any leave.

3. The case of the concerned workman is that he had taken prior leave for two months in connection with his marriage. When he went to join he was not allowed.

4. Opposite party has filed written statement in which it has been alleged that concerned workman had continued to remain absent without any leave, hence his services were dispensed with.

5. In the rejoinder nothing fresh has been said.

6. In support of his case, concerned workman has filed Ext. W.1 the sanction dt. 3-9-85 for his appointment in lieu of his father. Ex. W.2 is the letter dt. 2-2-87 for his appointment. Ext. W. 3 is a complaint of Assistant Post Master dt. 4-6-87 that the concerned workman is continuing to remain absent without leave. Ext. W. 4 to 11 are not relevant. Further the concerned workman has filed his affidavit. The opposite party has filed the affidavit of one B. B. L. Srivastava Asst. Post Master Jhansi but he was not produced for cross examination. Further documents were also not proved. Hence the evidence of the concerned workman alone is to be seen.

7. In his cross examination he has concerned that earlier too he had remained absent without leave, hence he was removed from service on 10-12-86 but was taken back on 2-2-87. Further he has stated that he had remained absent from 5th, 6th April 1987. With regard to leave for two months he has stated that on 16-6-87 he had proceeded on leave for 3 days after informing the wife of SSP. From the cross examination of the concerned workman it appears

that he had actually not applied for any leave. In its absence it is quite obvious that the concerned workman had remained absent without leave. Thus from the own evidence of the concerned workman it becomes clear that he had been absent without leave.

8. Still the authorised representative for the concerned workman has argued that the services of the concerned workman cannot be dispensed with without having been afforded opportunity to show cause. In this way principles of natural justice have been flouted. In my opinion, remaining absent from duty without any leave is a misconduct but services cannot be determined on this score without holding any inquiry. In the instant case as no such inquiry was held, I find force in the contention of authorised representative of the concerned workman that removal from service on account of unauthorised absent from duty without holding inquiry is illegal. As such he will be entitled for reinstatement.

9. The concerned workman will not be entitled for back wages as from record it has been found that he has not taken prior permission before proceeding on leave.

10. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. घा. 3218.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबंधकों के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-93 को प्राप्त हुआ था।

[संख्या एल—12011/21/87/डी-2-ए/आई एर बो-2]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3218.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workmen, which was received by the Central Government on 16-11-95.

[No. L-12011/21/87-D.II(A)]IR(B-II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU  
MADRAS

Wednesday, the 11th day of October, 1995

PRESENT:

THIRU N. SUBRAMANIAN, B.A.B.L., INDUSTRIAL  
TRIBUNAL.

INDUSTRIAL DISPUTE No. 56/1988

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Indian Bank, Madras).

#### BETWEEN

The workmen represented by  
The General Secretary,  
Indian Bank Employees Union,

25, School Line Beach,  
Madras—600001.

AND

The General Manager,  
Indian Bank, Second Line Beach,  
Madras—600001.

REFERENCE :

Order No. L-12011/21/87-D.II(A), dated 16-8-1988,  
Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiru S. Vaidyanathan for Tvl. Row & Reddy, Advocates appearing for the workmen and of Thiru A.R. Gokulnath for Tvl. Aiyar & Dolia, Advocates appearing for the Management upon pursuing the reference. Claim and counter statements and other connected papers on record, and the workmen having filed a Memo for withdrawing this dispute, and recording the same, this Tribunal passed the following

#### AWARD

This reference has been made for adjudication of the following issue :

“Whether the Management of Indian Bank in relation to H.O. Madras is justified in withholding sanction of annual increments w.e.f. 1-1-1986 to the two workmen namely S/Shri V. Karthikeyan, and R. Vasudevan, Clerk/Shroff ? If not, to what relief are the concerned workmen entitled ?”

Memo filed by the petitioner. In view of Memo, I.D. is dismissed as withdrawn. No costs.

Dated, this the 11th day of October, 1995

THIRU N. SUBRAMANIAN, Industrial Tribunal.

Copy of Memo filed by Petitioner's counsel

Indian Bank Employees Union .. Petitioner  
Vs.

Indian Bank .. Respondent

#### MEMO

The above Dispute relates to non-payment of increments to two employees. Since the Management has given increment retrospectively the petitioners are withdrawing the above dispute. An Award is prayed for accordingly.

Dated at Madras this the 11th day of October, 1995.

S. VAIDYANATHAN, Counsel for Petitioner  
Sd/-

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3219.—औद्योगिक विवाद अधिनियम, केन्द्रीय सरकार सेंट्रल बैंक आफ इंडिया ईटावा के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल—12012/442/92/आई. आर. बी. व 2]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S O. 3219.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute

between the employers in relation to the management of Central Bank of India, Etawah and their workmen, which was received by the Central Government on 15-11-1995.

[No. L-12012/442/92-IR(B.II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING  
OFFICER CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM-  
LABOUR COURT PANDU NAGAR  
DEOKI PALACE ROAD  
KANPUR

Industrial Dispute between

Shri Munna Lal,  
C/o. Dr. Santosh Kumar Gupta,  
117/H-2148 Pandu Nagar,  
Kanpur.

AND

Regional Manager,  
Central Bank of India,  
125 Civil Lines,  
Etawah.

Industrial Dispute No. 38 of 1993.

#### AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/442/92-IRB II dated 26-3-1993 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Central Bank of India Etawah in terminating Sri Munna Lal from services justified ? If not what relief is the workman entitled to ?

2. The management bank on 25-10-95 moved an application in this case stating that the bank has issued appointment letter dt. 8-9-95 to the concerned workman on one half wages as Part Time Sweeper according to the terms and conditions of the settlement copy of which has been filed by them.

3. Parties to the dispute have also requested that the present reference be treated as withdrawn. In view of it, it is held that there remains no dispute between the parties. Accordingly, present reference is treated as withdrawn.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3220.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एण्ड सिंध बैंक. मिर्जापुर, लखनऊ के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार

औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एन-12012/344/94-आई.आर.बी.-2]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3220—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab & Sindh Bank, Mirzapur, Lucknow and their workmen, which was received by the Central Government on 15-11-95.

[No. L-12012/344/94 IR(B.II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING  
OFFICER CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM-  
LABOUR COURT PANDU NAGAR  
KANPUR

Industrial Dispute No. 113 of 1995

In the matter of dispute between :

The Assistant General Manager,  
Punjab & Sindh Bank,  
Lalbagh Lucknow.

AND

Sri Arun Kumar Pandey,  
C/o. Sri P. N. Tewari,  
General Secretary,  
U. P. Bank Employees Union,  
894/165 Sohbatibagh, Allahabad.

#### AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/344/94-IR(B-II) dt. 15-5-95 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Punjab & Sind Bank Mirzapur/Lucknow in terminating the services of Sri Arun Kumar Pandey Driver cum peon w.e.f. 17-8-92 is legal and justified ? If not to what relief is the said workman entitled ?

2. In the present case the management on 3-10-95 moved an application stating that the offer of employment on the terms and conditions stated therein has been given to the concerned workman. Workman concerned too has filed an affidavit to this effect. Parties to the dispute are ready to settle the dispute amicably.

3. In view of it, there remains no dispute between the parties. As such the reference is answered accordingly holding that there is no dispute between the parties.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3221—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बैंक आफ बड़ोदा के प्रबंधन के संबंध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एन-12012/277/92-आई.आर.बी.-2]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3221.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government 15-11-1995.

[No. L-12012/277/92-IR(B.II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING  
OFFICER CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM-  
LABOUR COURT PANDU NAGAR  
DEOKI PALACE ROAD  
KANPUR

Industrial Dispute No. 12 of 1993

In the matter of dispute between :

Himanchal Kumar,  
C/o. O. P. Nigam,  
295/387 Deen Dayal Road,  
Ashrafabad Lucknow.

AND

Regional Manager,  
Bank of Baroda,  
19 Way Road,  
Lucknow.

1. Central Government, Ministry of Labour, vide its notification No. L-12012/277/92 dt. 27-1-93, has referred the following dispute for adjudication to this Tribunal :—

Whether the demand of the workman Shri Himanchal Kumar Ex-employee of Kakra Branch District Lakhimpur Kheri of bank of Baroda for reinstatement in service with

full back wages w.e.f. 20-8-89 is justified  
If not, to what relief is the workman entitled.

2. The concerned workman on 27-10-90 has moved application in the instant case to the effect that the management bank has assured him to provide him reinstatement with continuity of service as such he does not want to press the present claim and wants to withdraw the same on this score.

3. In view of above, the present reference is treated as withdrawn.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. प्रा. 3222.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार युनाइटेड बैंक आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल-12012/90/86/डी-2-ए/आई. प्रा. बी.-2]  
ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3222.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of United Bank of India and their workmen, which was received by the Central Government on 15-11-1995.

[No. L-12012/90/86-D. 2(A)|IR(B-II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 118 of 1986

In the matter of dispute between —

The Regional Secretary,  
UBI Shramik Karmachari Samity,  
28/93 Birhana Road, Kanpur.

AND

The Chief Officer Personnel Department,  
United Bank of India,  
16, Old Court House Street,  
Calcutta.

#### AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/90/86-D. II(A) dt. nil has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of United Bank of India in imposing punishment of reduction of present pay to the next lower stage for a period of two years on 27-7-1985 on Sri B. K. Shukla clerk Kanpur Branch is legal and justified. If not, what relief is the concerned workman entitled.

2. Concerned workman B. K. Shukla, is working as clerk in United Bank of India Birhana Road, Kanpur Branch. He is the President of United Bank of India Shramik Karmachari Samity. In that capacity he had sent a complaint dt. 30-7-83 to Sri Rajiv Gandhi, the then General Secretary of All India Congress Committee, New Delhi, in chargesheeting C. R. Sen Gupta, the then Chairman of United Bank of India on a variety of grounds which inter alia related to showing undue favour to some of the customers, adopting hostile and discriminatory attitude against employees and causing financial loss to the bank. He had also given interview to Lok Jan Samachar and Vishwamitra Kanpur & Delhi on 5-5-83 in which same facts were repeated. The concerned workman was served with two chargesheet 13-5-83 and 7-7-83 in respect of aforesaid two episodes. The charges against him in both matters were unauthorised disclosures of information regarding the affairs of the bank and doing act prejudicial to the interest of the bank. Enquiry was held by one R. R. Ray who after completing enquiry submitted his report dt. 26-3-85 holding that both the charges were proved. On the basis of this finding and after issuing show case the management inflicted punishment of reduction of pay by present pay to the next lower stage for a period of two years on 27-7-85. Feeling aggrieved by this punishment the concerned workman has raised the instant industrial dispute. In his written statement, the concerned workman has tried to justify that being the President of the Union he had the duty to bring to the notice of higher authorities regarding male practices and unfair labour practices and misutilisation of the funds of the bank. Further what ever he had issued information to the press and sent complaint to Sri Rajiv Gandhi was based on the Balance Sheet published by the bank as such it does not amount to unauthorised disclosure. Other matters in the statement of claim relate to irregularity committed in holding enquiry.

3. In its written statement the management has alleged that the concerned workman had made public disclosure by issuing statement to press and sending complaint to Sri Rajiv Gandhi which certainly a misconduct as such he was rightly chargesheeted and punished.

4. In his rejoinder concerned workman has admitted having issued press statement and also having sent a complaint to Sri Rajiv Gandhi but he has tried to justify it. Two preliminary issues were framed by my learned predecessor regarding validity

of enquiry on which both the parties had also adduced evidence. This tribunal vide finding dt. 17-4-95 has held that the enquiry was not fairly and properly held in as much as reasonable opportunity was not afforded to the concerned workman to do pairvi in the case. Hence finding was set aside and management was afforded opportunity to prove misconduct on merits.

5. Subsequently S. K. Gupta, Manager of United Bank of India Calcutta gave his statement whereas concerned workman has not adduced any evidence at all. Instead his authorised representative B. P. Saxena made a statement on 5-10-95 that oral evidence in this case would not be adduced in this regard.

6. The first point which needs consideration is as to whether the concerned workman had issued press statement and sent the complaint to Sri Rajiv Gandhi in which everments were made as contained in the charge sheet, the gist of which has already been given earlier. There is no need to refer any evidence in this regard as in para (7) of the statement of claim the concerned workman has himself admitted having issued press statement and sent a complaint to Sri Rajiv Gandhi. However, it has been tried to be justified in para (8) of the claim statement on the ground that it was based on balance sheet published by the bank.

This fact has once again been admitted in the rejoinder. Thus it is fully established that the concerned workman had sent a complaint to Sri Rajiv Gandhi and also issued a press note which was published as alleged by the management.

7. Now the second point which falls for consideration is as to whether it amount to disclosure of information. In the first part of the complaint sent to Rajiv Gandhi, the concerned workman has assailed the conduct of C. R. Sen Gupta, for victimising the employees of the bank. In the second part it has been complained that due to inept handling of manager of various working C. R. Sen Gupta had put the bank to loss. There has been no extension of branches of bank, post of Dy. Manager have not been fulfilled and misc. expenses of the Bank have increased to one lakh unnecessarily. In my opinion, in this letter there is nothing which can be said to be confidential. Instead the complaint is of general nature. No secret matters have been let out. Hence, it cannot be said to be an act of unauthorised disclosure regarding affairs of the bank. Instead by such act the concerned workman has tried to overreach the politician. The proper course would have been to bring these facts to the notice of Board itself which governs the bank if he was at all interested in the welfare of the bank. In any case misconduct of unauthorised disclosure of complained in para 521(4)(b) of Shastri Award is not made out in this regard. However, in the press statement there is mention of financial irregularity committed by corrupt managers and officials by which undue financial favour was shown to M/s Jyoti Electronics, Packing Industrials and Printing Com., Bikas Electricals and Manufacturing Co. Ltd., Popular Industries, Loose Electrics Pvt. Ltd., Mamgi Bro-

thers, Bharat Sheet and Metal Industries etc. In my opinion giving of details of these customers worked amount to unauthorised disclosures of the bank which would have certainly caused prejudice to the interest of the bank. As such in my opinion, case of misconduct in this regard is made out against the concerned workman. Hence atleast this charge was established. I am further of the view that having regard to the nature of charges and punishment it is perfectly commensurate with the gravity of proved misconduct.

8. Hence it does not call for any interference.

9. Hence, my award is that the action of the management of United Bank of India in imposing punishment of reduction of present pay to the next lower stage for a period of two years on 27-7-85 on Sri B. K. Shukla, clerk Kanpur Branch is legal and justified. Consequently the concerned workman is held entitled to no relief.

10. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3223.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एशोरस कम्पनी लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनबन्ध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल-17012/4/86/बी-4ए/आई. आर. (बी.-2)]

ब्रज मोहन, ईस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3223.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. Ltd., and their workmen, which was received by the Central Government on 15-11-95.

[No. L-17012/4/86-D-IV.A/IR(B-1)]

BRAJ MOHAN, Desk Officer

## ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING  
OFFICER, CENTRAL GOVERNMENT INDUS-  
TRIAL TRIBUNAL-CUM-LABOUR COURT,  
PANDU NAGAR, DEOKI PALACE ROAD,  
KANPUR

Industrial Dispute No. 135 of 1986

In the matter of dispute between :

Ashok Kumar Gupta,  
S/o. Sri Surender Kumar Gupta,  
E-111 New Area,  
Agra.

AND

The Divisional Manager,  
New India Assurance Company Ltd.,  
Divisional Office,  
Sanjay Place,  
Agra.

## AWARD

1. Central Government, Ministry of Labour,  
New Delhi, vide its notification No. L-17012 4/86-  
D.IV(A) dated 4-12-86, has referred the following  
dispute for adjudication :—

Whether the action of the management of New  
India Assurance Company Limited in ter-  
minating the services of Sri Ashok Kumar  
Gupta as probationary Inspector vide their  
letter dated 17-8-84 is legal and justified.  
If not, to what relief he is entitled to ?

2. Concerned workman Ashok Kumar Gupta in  
his written statement has alleged that after he had  
passed the test he was appointed as Probationary  
Inspector w.e.f. 1-1-80 by the New India Assurance  
Company Limited. His probation was initially for  
a period of 1 1/2 years but he continued for 4 years.  
During this period he had worked according to the  
best of his ability and further he was not given any  
warning. Still he was not being paid his wages  
which were due to him. Between 30-8-84 and  
25-10-84 he fell ill and was on leave. When on  
26-10-84 he went to join alongwith medical fitness  
certificate he was prevented from doing so. This  
amounts to retrenchment. As this retrenchment was  
without any inquiry the same is bad in law and as  
such he is entitled for reinstatement with full back  
wages.

3. Opposite party has filed written statement.  
In the first place it has been alleged that the con-  
cerned workman is not a workman and as such  
this reference is incompetent. Apart from this the  
performance of the workman has been given as  
under :—

Year	Actual Performance (in years)	Target (in lies)
1980	Rs. 0.60	Rs. 1.05
1981	Rs. 0.52	Rs. 1.23
1982	Rs. 0.34	Rs. 1.28
1983	Rs. 0.89	Rs. 1.28
1984 (till June)	Rs. 0.31	Rs. 1.32

It is alleged that since it was much below the  
required standard and as he has failed to achieve  
the target in view of agreement he was removed  
from service. There was no need to hold inquiry.

4. The concerned workman has filed rejoinder  
in which nothing new has been said.

5. In support of his case the concerned work-  
man has filed Ex. W.1 to Ex. W-15 whereas  
management has filed Ext. E.1 to Ext. E.3. Further  
details of performance of the workman yearwise  
have also been given. Further the concerned work-  
man adduced his evidence as WW1 A. K. Gupta  
whereas management have adduced the evidence of  
S. P. Gupta their Divisional Manager.

6. In the first place it has been urged by the auth.  
representative of the management that the con-  
cerned workman does not fall within the definition  
of workman as it is only a probationary inspector.  
In the case of S. K. Verma Versus Mahesh Chandra  
1983 (3 SCR) 797 it has been held that Develop-  
ment Officers in LIC of India were workmen. In  
my opinion, Probationary Inspector is almost ana-  
logous to that of Development Officer. Hence  
for the parity of reasons given by Hon'ble Supreme  
Court for holding Development Officers as workman,  
I hold that the concerned workman having mentle  
of Probationary Inspector as well also be a work-  
man. Hence I overrule the contention of the  
management on this score.

7. From the pleadings of the parties it becomes  
clear that the concerned workman has worked from  
1980 to 1984 continuously. Therefore, it is not  
necessary to refer to documents and oral  
evidence in this regard. The only ground on which  
the management has sought justification for removal  
of concerned workman is not giving of required out-  
turn the details of which have been given above.  
In my opinion, even if it was so that could not be  
a ground for removal of service out right. Instead  
the proper course would have to afford opportunity  
to the concerned workman and also a domestic  
enquiry ought to have been held. In this regard  
reference may be made to the case of Ashok Kumar  
Versus Divisional Manager Life Insurance Corpora-  
tion of India 1991 SCD 719. It was a case of dis-  
missal on the ground of not acquiring the required  
target by Apprentice Development Officer of LIC of  
India. His services were dispensed with because  
the required target was not attained by the Deve-  
lopment Officer. No enquiry was held. Hence, this  
dismissal order was set aside. In my opinion, this  
analogy would apply with full force to the facts of  
the present case. Atleast principles enunciated in  
this case is fully attracted. Hence respectfully follow-  
ing the above authority, I agree with the contention  
of the authorised representative of the concerned  
workman that the services of the concerned workman  
could not be dismissed with without holding any  
enquiry or giving of show cause notice. Hence, the



termination of the services of the concerned workman is bad in law. As such the concerned workman will be entitled for reinstatement.

8. As far as the question for back wages is concerned I have gone through the proceedings of the case and find that mainly it was the workman who was responsible for delayed disposal of the case. Hence, in view of the laches on the part of concerned workman in the early disposal of the case, I am of the view, that the concerned workman would not be entitled for back wages.

9. Hence my award is that the concerned workman is entitled for reinstatement in service on the job which he was holding at the time of termination of the services, but he will not be entitled for any back wages or any costs of the case.

9. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3224.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यू. को. बैंक, पटना के प्रबंधन के संबंध निरोजकों और उनके कामदारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एन-12012/88/93-आई. आर. (बी.-2)]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3224.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank, Patna and their workmen, which was received by the Central Government on 15-11-95.

[No. L-12012/88/93-IR(B-II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD  
PRESENT

Shri D. K. NAYAK,

Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 131 OF 1993

#### PARTIES :

Employers in relation to the management of UCO Bank, Patna and their workman.

#### APPEARANCES :

On behalf of the workmen : Shri B. Prasad,  
State Secretary, UCO Bank Employees  
Association.

On behalf of the employers : Shri S. C. Sarkar,  
Dy. Chief Law Officer.

State : Bihar.

Industry : Banking.

Dated, the 8th November, 1995.

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/88/93-IR BII dated, the 2nd September, 1993.

#### SCHEDULE

“Whether the action of the Zonal Manager, United Commercial Bank, Patna is justified in not promoting Shri N. K. Jha, Clerk as Special Assistant at Dhurwa Branch, Ranchi and promoting Shri B. K. Das when Shri N. K. Jha was at serial No. 12 and Shri B. K. Das was at Serial No. 48 of seniority list dated 1-10-1990? If not, to what relief the workman is entitled to?”

2. To meet the aforesaid reference the workman has filed the W. S. stating inter alia that the concerned workman is a man of Sl. No. 12 as per seniority list of Clerical Staff published by Zonal Office and Shri B. K. Das stands in Sl. No. 48 of the said list dt. 10.90. The concerned workman joined in service in the Bank on 25-12-75 as a clerk and as per promotion policy agreement it was decided that seniority list would be published in every 6 months alternatively and vacant post would be filled up including the post of Special Assistant as per seniority on the date of promotion. Pursuant to the said promotion policy on promotion of Shri Gopal Ram from Special Assistant to Officer Cadre this applicant is entitled to be promoted as a Special Assistant but in denial of such right Shri B. K. Das whose position was 48 as per seniority list was promoted as Special Assistant in violation of the Promotion Policy and thus he referred the matter to the ALC(C). As the conciliation ended in failure it was referred to the Ministry resulting reference to this Tribunal and the concerned workman prays for the promotion as stated above on and from 27-12-89 together with interest thereon @ 12 per cent per annum.

3. The management i.e. the UCO Bank in their W.S.-cum-rejoinder has stated that this case does not come under the purview of the I.D. Act. It is stated further that it is a fact that the concerned workman Shri N. K. Jha joined in service of the Bank on 25-12-75 and he was graduate and hereby he was given the benefit of two years and notional date of joining was reckoned from 25-12-73. Similarly Shri B. K. Das initially joined in the service of the Bank on 23-10-78 and he was B. Com and thereby he was also given benefit of two years and

his notional date of joining started reckoning on and from 23-10-76. Thereafter Shri B. K. Das passed Part I of the C.A.I.B. (Certificate Associate of Indian Institute of Bankers, Bombay) and thereby he got benefit of one increment and one year seniority as per Promotion Policy settlement dt. 13-4-1988. Thereafter he passed Part II of C.A.I.B. examination which gave him benefit of two increments and two years seniority and thus the said workman got three increments and three years seniority for passing Part I and II examination of C.A.I.B. In that case his seniority started reckoning from 23-10-73 instead of 23-10-76 per rules in June, 1990. On 23-3-91 Shri B. K. Das was posted as a workman in the Divisional Officer, Bhagalpur and he applied for his seniority and increment due to passing of Part II examination of C.A.I.B. which was duly forwarded to the Zonal Manager of the Bank for granting such reliefs and the said letter is of dt. 23-3-91 and it was forwarded by a letter dt. 2-4-91. But it was awaiting for to the approval so a reminder was issued on 26-9-91.

4. In view of such facts in the seniority list the date of seniority of Shri N. K. Jha the concerned workman became 25-12-73 whereas effective date of seniority of Shri Das became 23-10-73 and thereby obviously on 1-10-90 Shri Das was senior to Shri N. K. Jha and his name was entered in the seniority list duly published as 11 A which is above 12, the Sl. No. of the concerned workman. It is stated further that the concerned institute of the Bankers withheld the certificate of Shri Das for certain anomalies which were decided finally and his certificate was released without disturbing the position that he completed and passed the examination of Part II of C.A.I.B. Accordingly it is stated by the management that nothing wrong was happened promoting Shri Das who was senior to Shri Jha.

5. In the instant case rejoinder was filed from the side of the workman practically stating the same facts, in other words as it was stated earlier.

6. In support of the respective cases both the parties adduced their oral evidence besides documentary evidence.

7. It is an admitted position that the seniority list which was published initially, the position of the concerned workman was 12 and the position of Shri B. K. Das was 48. From the exhibits filed by the management it is crystal clear that Shri Das completed Part II C.A.I.B. examination and the anomaly, if any, was wiped out by the Institute subsequently.

8. For the management Shri S. K. Palit was examined as MW-1. He has stated about the procedure for preparation of the seniority list and according to him in April and in October in each English Calendar year the seniority list are prepared. He has stated that there are systems of two examinations one is C.I.B. Part I and the other is C.I.B. Part II. It is also evident from his statement that on completion of said examination a workman is entitled to get seniority both in increment and in position in addition to the relief already given to him earlier for enhancement of his qualification. According to him Shri B. K. Das completed both Part I and II of C.I.B. examination which are marked as Ext. M-1

and M-2. Ext. M-3 also reveals that this was informed through Regional Manager to Zonal Manager and the same is marked Ext. M-3. Ext. M-5 is the document which confirms by Indian Institute of Bankers about passing of examination of C.I.B. by Shri Das. According to him seniority can be changed after it is prepared in April and October on changing of various circumstances in the meantime and the same are admissible in law. Thus Mr. Das was selected as Special Assistant for changing his seniority in view of his acquisition of more qualification and getting benefits for such enhancement of qualification. It is a fact that seniority list are circulated in the different office. In cross-examination it appears that Shri Das passed Part II on 5th September, 1990. A notification for filling up the post of Special Assistant was given in August, 1991 as it was revealed from his cross-examination and the seniority list has been exhibited as W-1 and W-2. It is also a fact that Shri B. K. Das applied in March, 1991. Some question about the misconduct performed by Shri Das was put but there are ample document which have been exhibited which would go to show that the concerned institute exonerated him and found everything alright.

9. WW-1 Shri Jha, who is the concerned workman in this case had deposed that he applied for the post marked Ext. W-3 and he was not selected but in the said post Shri B. K. Das was selected to which he submitted an objection which is marked Ext. W-4. According to him the post became vacant due to promotion of Shri Gopal Ram on 27-10-89 and at that time it was not filled up and as it was filled up subsequently Mr. Das cannot get the benefit as urged. In cross-examination he has admitted that Gopal Ram who was the concerned man in the post to be filled up was to supervise the various department of the Bank when he was posted as a Special Assistant so it cannot be said when he was released the post is expected to keep vacant. But he has admitted that from the record it appears till 1991 Shri Gopal Ram was in Dhurwa branch and he worked there as an Officer of the said Branch. According to him when the appointment of Shri B. K. Das was made the concerned workman was in 12th position of the Zone. In cross-examination it transpires that after joining of B. K. Das in the post of Special Assistant he was served with a show cause notice from the institute. It also transpires from his cross-examination that he appeared in the C.I.B. examination but he could not pass but his position as 12 in the list still now stands.

10. Considering the aforesaid document and the agreement policy between the Bank and the workman as filed before me I find that Shri Das became Senior in position than that of the concerned workman on the day of promotion as a Special Assistant due to enhancement of his qualification such as M. Com, CIIB Part I and II as it appears from the documentary evidence and as it is also not disputed by the concerned workman even. Only dispute is Sri Das had had not such qualification when the post become vacant.

11. Therefore, if after giving the seniority as per rules his seniority position be reckoned from 23-10-73 instead of 23-10-75 one the date of pro-

motion. I do not find any wrong nor it gives any bad smell to promote him as Special Assistant bringing his position as 11 A considering or reckoning the date of seniority of the concerned workman, Shri Jha on and from 25-12-73 is obviously later than 19-10-73 and thereby I do not find any wrong in the action of the Zonal Manager, Uco Bank in not promoting Shri N. K. Jha, Clerk as Special Assistant at Dhurwa Branch Ranchi and promoting Shri B. K. Das in view of the facts stated above and in that case the present workman is not entitled to get any relief as it stands now. Considering his position to be 12 in the seniority list he is at liberty to get the promotion benefit when he would be entitled to.

12. Thus the reference is disposed off in the following manner holding that the action of the Zonal Manager, UCO Bank, Patna by not promoting Shri N. K. Jha as a Special Assistant Dhurwa Branch and also committed no wrong in promoting Shri B. K. Das considering the facts of enhancement of his qualification bringing him into Sl No 11 A in the seniority list and thereby no relief is awarded to the concerned workman, holding that the action of the management is legal and justified.

This is my Award.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3225.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वये में, केन्द्रीय सरकार एल. आई. सी. आफ इंडिया, एर्नाकुलम के प्रबंधन के संलग्न नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, कल्लम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-95 को प्राप्त हुआ था।

[संख्या एल-17012/25/94-आई. आर. (बी.-2)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3225.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, KOLLAM as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of L.I.C. of India, Ernakulam and their workmen, which was received by the Central Government on 13-11-1995.

[No. L-17012/25/94-IR (B-II)]

BRAJ MOHAN, Desk Officer

## ANNEXURE

In the Court of the Industrial Tribunal, Kollam.

(Dated, this the 25th day of October, 1995)

PRESENT :

SRI C. N. SASIDHARAN

INDUSTRIAL TRIBUNAL

IN

INDUSTRIAL DISPUTE NO. 20/94

BETWEEN :

The Divisional Manager, L.I.C. of India, Jeevan Prakash, P. B. No. 1133, M. G. Road, Ernakulam, Kochi-682011.

By Shri Y. Ramachandran, Chief (Legal and H.P.F.), L.I.C. of India.

And

The General Secretary, LIC Employees Union, Trivandrum Division P.B. No. 1011, Pattom, Trivandrum-695 004.

(By S/s. K. R. Chandra Sekharan Pillai and S. Chidambaram, Assistant, L.I.C. of India, Divisional Office, Trivandrum).

## AWARD

This industrial dispute has been referred for adjudication to this Tribunal by the Government of India as per Order No. L-17012/25/94-IR (B-II), Dated 26-9-1994.

The issue for adjudication is the following :

"Whether the action of the management of LIC of India, Ernakulam in not paying the salary of stenographer to Shri V. Naransinga Kini from 4-1-1974 to 1-8-1990 for officiating as stenographer is justified. If not, what relief the workman is entitled to?"

2. The union has filed a detailed claim statement and the contentions are briefly as under : The divisional office of the management at Trivandrum conducted a test for promotion from Typist to Stenographer on 20-3-1971 and list of successful candidates was published on 28-5-1971. That was done as per the then existing promotion procedure. The management refused to promote the successful candidates though there were sufficient vacancies. On 15-10-71 an agreement on promotion was entered into between the management and their workmen. The request of the workmen for promotion as stenographer were turned down on the plea that the promotion agreement dated 15-10-1971 operated as a bar. That agreement was struck down by the Hon'ble High Courts of Kerala and Madras. The 1960 promotion procedure thus got revived. But the management refused to promote the workmen on the basis of that promotion procedure. On 4-1-1974 of the successful candidates in the list were offered officiating promotion to the post

of stenographer. All of them accepted the offer. During the officiating period the employees are entitled to paltry sum as officiating allowance and not entitled to the salary of the higher post. In the meanwhile the industrial dispute on promotion in the management was referred to the National Industrial Tribunal and that Tribunal gave its award on 8-6-74. That award retained the promotions of 1960 promotion procedure so far as promotion from Typist to stenographer. Even after the award of the National Industrial Tribunal the representation submitted by these employees were turned down. Thereafter a dispute was raised and the Industrial Tribunal Madras gave its award on 10-10-1980 holding that the officiating stenographer would be entitled to the pay scale of regular stenographer from 4-1-1974 with attendant benefits. That award was confirmed by the High Court of Madras. Unfortunately while referring the above industrial dispute the name of V. Narasimha Kine, the workman in this case, was accidentally left out by the Government. The union immediately pointed out the mistake but the Government did not take any action. The Industrial Tribunal, Madras had clearly stated that the name of this employee was not included in the reference. The workman has been making representation to consider his case also. He was offered officiating promotion to the cadre of stenographer along with 5 other employees. All of them except the workman were granted the scale of pay applicable to stenographer from 4-1-1974. The action of the management in not allowing the request of the workman to treat him also at par with other officiating stenographers is discriminatory, unfair and unreasonable.

3. The contention advanced by the management are briefly as under : There was no provision for promotion of typist to the post of stenographer in the 1974 promotion rules, 1976 promotion rules and in 1987 promotion rules. In the test for promotion conducted on 23-7-1971 24 typists participated and only 7 passed the test. They were only eligible to be considered for promotion. The assisting committee interviewed the 8 candidates and recommended 4 names for promotion and there were only 4 vacancies to be filled up. Their recommendations were accepted by the appointing authority. In the meanwhile 1971 settlement came into force and no promotion could be effected in respect of the 4 employees. However these 4 employees as well also 2 of the other 3 who had passed the test were allowed officiating appointments as stenographer with effect from 4-1-1974. The workman in this case was one of those who was not recommended for promotion by the assisting committee but who was given officiating appointment as stenographer. The present reference is based on incorrect appreciation of the facts and law and is liable to be rejected. The workman has never made a demand either on the management or in any other forum that he workman has not been paid the salary of a stenographer for the period from 4-1-1974 to 1-8-1990. This reference is therefore bad in law. This reference is hopelessly belated and is liable to be rejected on the ground of laches and delay. This reference is incompetent also. The workman is not entitled to any relief.

4. Both sides have filed rejoinders also disputing the contentions on either side. According to the union after the test conducted on 20-3-1971 there was no need for any interview or recommendation of the assisting committee for promotion. The further case is that there is no period of limitation for raising an industrial dispute.

5. No evidence has been let in by either side. However Exts. W1 to W6 on the side of the union and Exts. M1 to M10 on the side of the management have been marked on mutual consent.

6. The management has raised some preliminary objections. The first one is that the reference is against the statutory provisions. According to the management the issue referred for adjudication is not against the regulations. The issue for consideration is whether the workman is entitled to the salary of a stenographer because he had officiated as a stenographer from 4-1-1974 to 1-8-1990. It is pointed out that under explanation 2 to regulation 57 of the Life Insurance Corporation of India (Staff) Regulations 1960 (the Staff Regulations for short) the workman is entitled to only an officiating allowance and not entitled to the salary as claimed. It is also pointed out that the relief claimed by the workman is for promotion and permanent status in the post of stenographer. Reliance was placed on Ex. M9, Ext. M3, para. 1, 5, 6 and 7 of Ext. M5 and Ext. W4. According to the management it is now open to this Tribunal to grant a relief which is against statutory provisions. No doubt as per the documents mentioned above he has claimed for permanency and promotion also but the only issue referred to this Tribunal is whether the workman is entitled to the salary of a stenographer for officiating as stenographer. The workman has not challenged the reference order questioning the non-inclusion of other claims. Hence the question of granting other reliefs by this Tribunal does not arise. The decision of the Calcutta High Court reported in 1958 (1) LLJ 571 relied on by the management in this regard has therefore no application here. Now regarding the contention that the workman is not entitled to the salary as claimed as under explanation 2 to Regulation 57 mentioned above he is entitled to only an officiating allowance it is to be remembered that the present claim is mainly on the basis of Ext. W1 award passed by the Industrial Tribunal, Madras in I.D. 31/80 by which 5 other similarly placed employees who had officiated as stenographer along with this workman from 4-1-1974 were granted the salary of a stenographer. That award has become final also. Hence the management is estopped from raising such a contention. It is true that the management has a contention that the workman was not selected for promotion along with the other 5 workmen and his name was not recommended by the assisting committee. But the fact remains that the workman had officiated as a stenographer from 4-1-1974 to 1-8-90 which shows that he was qualified and eligible. Now the questions whether he was selected and his name was recommended for promotion will be considered by me in the later portion of this award. In these circumstances the present objection of the management is only to be rejected.

7. The third objection is that there is no industrial dispute and hence the reference is bad in law. According to the management the claim of the workman is for giving the pay scale applicable to and the permanent status of a stenographer as the 5 other similarly placed employees had been given the salary and permanent status as per Ext. W1 award in I.D. 31/80. The argument is that the issue centered round the promotion of the workman only on the basis of Ext. M9, communication of the Employees Federation addressed to the Regional Joint Labour Commissioner, the statement of claim filed by the union before this Tribunal read with para. 2, 3 and 4 of Ext. M3 statement of claim filed by the workman in I.D. 31/80, Ext. M5 office memorandum dated 24-11-1979 of the Government of India, Ext. W4 letter dated 27-4-1992 addressed to the senior divisional manager of management by the workman and para 2 of the notice on argument of the union submitted before this Tribunal on 10-10-95. According to the management the issue referred for adjudication is regarding claim for salary of stenographer for officiating as stenographer and it has never been the claim of the workman on the management. The workman never raised such a demand with the management. Therefore there is no such industrial dispute as is referred in the order of reference. This reference is therefore untenable according to the management. The case of the union is that the claim of the workman was made along with other 5 workmen involved in I.D. 31/80 but his name was accidentally left out. It is also pointed out that the union has made demand with the management subsequently also and hence the contention of management is without force.

8. In para 2 of Ext. W1 award it is stated that as per the contentions of the union in that case the union has raised the demand for workmen including the workman in this case but accidentally his name was omitted. It is further stated that the union has promptly made representation to the Government of India to include the omitted employee and a copy of the note submitted by the union was marked as Ext. W1 in that case. That representation was stated to be submitted to the Asst. Labour Commissioner (Central) during conciliation proceeding which indicated that the agrieved employees were six in number. This statement according to the union makes it clear that the management was fully aware of the claim of the workman even at the time of I.D. 31/80. But the name of the employee is not at all mentioned in that award. Further no attempt has been made to call for the conciliation file to prove that union has taken up the claim of this workman. Ext. W1 document in I.D. 31/80 stated above is also not before this Tribunal. The selection list of the typists made by the management for promotion as stenographer is also not before this Tribunal to see that the name of this workman was also included in that list after the test. Hence Ext. W1 award will not come to the rescue of the union with regard to this particular aspect. Ext. W4 is a copy of the reply letter dated 27-4-1992 issued to the workman from the management wherein the request for regularisation in the cadre of stenographer was not allowed. In Ext. W4 there is no mention of the

present claim. So it cannot be considered as a supporting document for the union. Ext. W5 is a copy of representation submitted to the Senior Divisional Manager by the workman wherein he has claim salary on par with other officiating stenographer. Ext. W5 is also not helpful to the union as it is not established that original of Ext. W5 was served on the management. But Ext. M9 produced by the management before this Tribunal fully support the case of the union that demand was made prior to the present issue referred for adjudication. Ext. M9 is a complaint dated 17-12-1993 of the union regarding the denial of benefit of the award in I.D. 31/80 to one workman copy of which was given to the management. In Ext. M9 it is specifically stated that the name of this workman was accidentally left out in I.D. 31/80 and the union has specifically demanded salary applicable to the stenographer from 4-1-1974 to 1-8-1990 to this workman. There is no dispute that the management did participate in the conciliation proceedings on the basis of Ext. M9. It is thus clear that the union has raised the demand and the management was fully aware of the demand of the workman. This further establishes the existence of an industrial dispute between the management and the union and the management has refused the claim of the workman.

9. The above view is supported by a decision of the Supreme Court in Sambunath Goyal V. Bank of Baroda 1978 (1) LLJ 484 wherein it was held that if the facts and circumstances of the case show that the workman had been making a demand which the management had been refusing to grant it can be said that there was an industrial dispute between the parties. As stated above in the instant case the facts and circumstances make it clear that there existed a difference between the union and the management and that is the issue now referred to this Tribunal. That being the position the decisions relied on by the management reported in 1968 (1) LLJ 830 and Indian Factories Journal Vol. 1983 page 412 of Himachal Pradesh High Court are not applicable here. The argument of the management regarding this objection is therefore devoid of merit.

10. The fourth objection is that the reference is incompetent. According to the management the dispute referred to this Tribunal is different from the dispute raised by the workman as to whether he is entitled to the salary and permanent status of stenographer on account of the fact that 5 other similarly placed employees have been given these benefits in I.D. 31/80. In support of this argument the management has brought to the notice of this Tribunal a decision of the Supreme Court in Jaipur Udyog Ltd. v. the Cement Works Karmachari Sangh (1972 LAB IC. 676) and also the decision reported in Indian Factories Journal (Supra). As held by me above the union has specifically demanded salary of stenographer to the workman along with the claim for permanency and the Government of India has referred the claim for salary alone. This Tribunal has to adjudicate only the issue referred for adjudication. Since the Government has satisfied as to the existence of a dispute regarding salary of stenographer to the workman for the period from 4-1-1974 to 1-8-1980 and made the reference it cannot be held that this reference is

incompetent. Therefore the decisions relied on by the management mentioned above have no bearing to the facts of the present case. This objection also therefore to be rejected.

11. The fifth objection is that the workman is not entitled to any relief on the basis of the order of reference. The argument advanced on behalf of the management is that the workman was only officiating as a stenographer and the order of reference also proceeds on that basis and hence the workman is entitled to only officiating allowance in terms of explanation 2 to Regulation 17 of the staff Regulations. This Tribunal cannot grant salary of stenographer as claimed. It is also contended that the workman continued as officiating stenographer from 1974 to 1990 unlike the workmen named in the order of reference in I.D. 31/80 for the reason that whenever the management sought to terminate the officiating arrangement the workman raised industrial disputes against his termination. The attention of this Tribunal was invited to Exts. M9, M10 and para 4 of the notes on argument of the union submitted on 10-10-1995. According to the management this Tribunal cannot consider anything which is not envisaged by the order of reference as held by the Supreme Court in *Pottery Mazdoor Panchayat V. Perfect Pottery Co. Ltd.* (1983 1 LLJ 232), *Air Lines Hotel Trivandrum Ltd. V. their Workmen* (1961 1 LLJ 663), *U.P. Electric Co. Ltd. V. their Workmen* (1960 1 LLJ 806), *Delhi Cloth and General Mills Co. Ltd. V. their Workmen* (1967 1 LLJ 423) and *Mazdoor Congress and others V. N. S. Balachandra and others* (1980 2 LLN 113). As held by me above issue for adjudication is only regarding the claim of salary of stenographer to the workman for officiating as stenographer. Whether the union claimed other demands along with the present issue is not a matter to be considered here as the Government had not made any reference regarding other issues. As I have already held that the union has placed demand for the issue now referred it cannot be held that the reference is bad and this Tribunal cannot consider the present issue. In this state of affairs the argument of the management that this Tribunal cannot consider anything which is not envisaged by the order of reference supported by the decisions mentioned above has no bearing to the facts in the instant case. This objection is accordingly rejected.

12. The fifth objection is that no industrial dispute lies in a matter governed by (staff) regulations. According to the management Sec. 48(2-A) of the Life Insurance Act, 1956 provides that the regulations and other provisions relating to the terms and conditions of service of the employees shall be deemed to be rules made by the Central Government under clause (cc) of Sub. sec. 2 of the above section. Further under sub-sec. 2(c) of Sec. 48 the rules made under clause (cc) of sub-sec(2) shall have effect notwithstanding anything contained in among others the Industrial Disputes Act, 1947. The argument advanced is that in so far as there are rules under Section 48, the operation of the provisions of Industrial Disputes Act is excluded and consequently there can be no industrial dispute except to the extent of violation of such regulations. The management brought to the notice of this Tribunal a decision of the Supreme Court in *A. V. Nachane and*

*another V. Union of India and another* (AIR 1982 SC 1126) in support of the above argument. There cannot be any dispute that the regulations have the effect of rules. There cannot be also any dispute that matters covered by the regulations which are statutory rules the provisions of Industrial Disputes Act cannot be invoked. Here the question is regarding claim of salary of stenographer for the workman at par with 5 other similarly placed employees who were granted the relief as per award in I.D. 31/80. No doubt according to the management the workman was only officiating the post of stenographer and eligible to get allowance as per explanation 2 to regulation 57 and not eligible to claim promotion as per sub-regulation 2 of regulation 17. The present claim of the workman is not on the basis of those regulations and not covered by the rules. The question whether he was selected for promotion to the post of stenographer and whether he has assumed charge as in the case of other 5 typists mentioned above are factual matters about which I shall discuss in the later portion of this award. The above circumstances make it clear that the present claim is not covered by the rules and not against the regulations. Therefore the decision of the Supreme Court mentioned above according to me is not applicable here. By allowing the present claim there cannot be any violation of the provisions of law including the staff regulations. This Tribunal can very well grant reliefs to an employee legitimately entitled to get and by doing so the Tribunal is not attempting to modify the statutory scheme. In view of the above reasons this objections of the management also falls to the ground.

13. The sixth objection is that the reference suffers from laches and delay.

(i) According to the management the workman had been officiating as a stenographer for 16 years from 4-1-1974 to 1-8-1990 and he has been paid only officiating allowance in terms of explanation 2 to regulation 57. The present reference has been made on 26-9-1994 and hence the reference is highly belated. Further though the officiating appointment came to end in August, 1990 the dispute was raised by the employees federation on 1-12-1993 resulting in the present reference and the delay of 3½ years in raising the demand has not been satisfactorily explained. That delay is inexplicable. The reference therefore suffers from laches and delay. It is also contended that according to the workman his name had been recommended for promotion as per the test held on 20-3-1991 but his name was accidentally omitted in I. D. 31/80. As per that contention of the workman there is a delay of nearly 15 years in making the present reference. On behalf of the management it is further pointed out that the workman had been officiated as stenographer from 4-1-1974 and if accepting the contention of the workman that this long officiating appointment is enough to claim the salary and other benefits, there has been a delay of nearly 20 years in raising the present dispute. The next argument is that there is no evidence on the part of the workman to show that the dispute has been raised as contended by the workman at the time of referring I.D.31/80 or subsequently prior to the demand made on 17-12-1993. The management has placed reliance on Exts. M-1, M-2 and M-6 documents which were

letters of the union wherein there is no mention of the present dispute. According to the management though there is no limitation prescribed for reference of a dispute, a reference is liable to be dismissed on grounds of laches and delay only. In support of this argument the managements representative has brought to the notice of this Tribunal three decisions. First one is that of the Supreme Court in *Shalimar Works Ltd. V. Its Workmen* (1959 2 LLJ 26). The second one is that of the Andhra Pradesh High Court in *Vazir Sulthan Tobacco Co. V. State of Andhra Pradesh* (1964 1 LLJ 622) and third one is a decision of the High Court of Bombay in *R. Ganesan V. Union of India and others* (1994 2 LLJ 851).

(ii) The argument advanced on behalf of the union regarding the above objection of the management is that ever since the disposal of I. D. 31/80 the workman has been making representations to consider his case at par with other typist, involved in I. D. 31/80. Ext. W-4 is the latest letter received from the management in this regard and Ext. W-5 is the reply given by the workman which is dated 25-2-1992. The workman sought support from Ext. M-9 document dated 17-12-1993 raising a dispute. According to the workman there is no unreasonable delay in raising the dispute. Further no period of limitation has been prescribed under Industrial Disputes Act for raising the industrial dispute which is supported by a decision of the Supreme Court in *Inder Singh and Sons V. their Workman* (1961 2 LLJ 89) wherein it was pointed out that the words "at any time" used in Section 10(1) do not admit of any limitation in making an order of reference. It is also contended that the union and the workman in good faith believed that the management would consider the case of the workman in the same manner the case of other similarly situated officiating stenographer were considered. The decision of the Supreme Court in *Bombay Gas Co. Ltd. V. Gopal Bhiva* (1963 2 LLJ 608) was also relied on by the union in support of their argument.

(iii) Ext. W-4 is a photocopy of a letter addressed to the workman from the senior divisional BAL KISHAN 2828 GI/95 10x20 30-11-1995 manager of the management dated 27-4-1992 rejecting the request for regularisation in the cadre of stenographer. There is no mention of the present dispute in that letter. But Ext. W-4 shows that the workman has raised a dispute with the management. Ext. W-5 is also a photocopy of letter addressed to the senior divisional manager from the workman. There is no evidence that Ext. W-5 was served on the management. Further there is also nothing in Ext. W-5 to show that the present dispute was raised. Therefore W-5 will not support the case of the union. Coming to Ext. M-9 representation dated 17-12-1993 it is specifically mentioned about the present dispute. It may be recalled that the workman continued the officiating assignment till 1-8-1990 and a dispute has been raised evidently as per Ext. M-9 dated 17-12-1993. It is true that he was continuing as stenographer from 4-1-1974 and there is no evidence of raising

this dispute specifically prior to 17-12-1993. But he has continued his service as stenographer till 1-8-1990 and immediately after three years he has raised the present dispute. As a matter of fact Ext. W-4 dated 27-4-1992 shows that union has raised a dispute regarding promotion of the workman. The argument advanced on behalf of the workman that he and his Union were under the bona fide belief that the case of the workman would be considered in the same manner the case of other similarly situated officiating stenographer who were involved in I. D. 31/80 were considered cannot be brushed aside. Admittedly the workman has continued as officiating stenographer along with the other employees involved in I. D. 31/80. Further no period of limitation has been fixed in the Industrial Disputes Act. It cannot therefore be held that there was unreasonable delay or laches on the part of the union in raising the present dispute. The decision of the Supreme Court in *Inder Singh and Sons V. their workmen* and in *Bombay Gas Co. V. Gopal Bhiva* (supra) fully supports the above view. In these circumstances I am not persuaded to hold that there is delay or laches in raising the dispute and the reference suffers from laches and delay. With due respect I may state that the decisions relied on by the management mentioned above according to me are not applicable to the facts and circumstances involved in the present case particularly on the ground that there is no unreasonable delay in raising the dispute and the workman was expecting a similar treatment as in the case of the other typists involved in I. D. 31/80.

14. I shall now pass on to the merits. The claim of the workman is on the ground that he was also one of those typists who had been recommended for promotion in pursuance of the test held on 20-3-1971 and that his name was accidentally left out when the Central Government made the reference of the dispute resulted in I. D. 31/80. According to the management in I. D. 31/80 only five employees were involved as specifically stated in the award. But according to the union the name of the workman was accidentally left out and the union had made representation for including his name. The attention of this Tribunal was invited to para 2 and 7 of Ext. W-1 award by the representative of the union. No doubt it is stated in Ext. W-1 award that the name of one person was accidentally omitted and the union represented for inclusion of his name. But the name of such an employee is not at all mentioned in Ext. W-1. The definite case of the management is that the name of the workman was not recommended for promotion by the assisting committee. But the management has not denied that the workman has been selected as per the test. As per the findings in para 7 of Ext. W-1 award seven typists were found successful in the test held on 20-3-1971 and the management has published a list of successful candidates on 28-5-1971. The management has not produced that list before this Tribunal to controvert the case of the workman that he came out successful in the test held on 20-3-1971. In the written statement and the rejoinders filed by the management before this Tribunal also the management has not specifically denied the case of the workman about his success in the test. It has



been further held in Ext. W-1 that all those typists became entitled for promotion to the post of stenographer even by 28-5-1971. In para 7 of Ext. W-1 award it has been categorically held that the interview conducted by the management for promoting the typist to the post of stenographer after the test held on 20-3-1971 was irregular and violative of the 1950 promotion procedure. The above findings of the Tribunal had become final as that award had been confirmed by the High Court admittedly.

15. From the facts and circumstances mentioned above it is specifically clear that the workman came out successful in the test held by the management on 20-3-1971 and the subsequent interview was held to be illegal. It is also noteworthy that this workman had been ordered to be officiating stenographer along with the other typists who were recommended for promotion, he had assumed charge along with the others and continued from 1-4-1974 to 1-8-1990. The management has no case that he is not eligible to hold the post of stenographer. The workman worked fully as a stenographer during this long period from 4-1-1974 to 1-8-1990 and the management has extracted his services. Since he has assumed charge as stenographer and continued till 1-8-1990 after the test conducted by the management, the present claim cannot be considered as illegal or against explanation 2 to regulation 57 and regulation 17(2) of the (staff) regulations. The present claim therefore cannot be held as a relief in violation of the provisions of law including the (staff) regulations. The circumstances mentioned by me above fully justify the present claim made by the union for the workman. I therefore hold that the workman is entitled to get the salary of stenographer at par with the other five persons involved in I. D. 31/80. The management being a responsible public institution under the Government of India should have acted as a model employer and allowed the claim of the union. Instead of that the workman was forced to litigation. Therefore it is a fit case for awarding costs to the union.

16. In the result, an award is passed holding that the action of management of Life Insurance Corporation of India, Ernakulam in not paying the salary of stenographer to the workman Shri V. Narasimha Kine from 1-4-1974 to 1-8-1990 is unjustified and he is accordingly entitled to get the salary and all other attendant benefits with 12% interest and costs Rs. 1,000/-.

C. N. SASIDHARAN, Industrial Tribunal

#### APPENDIX

Documents marked on the side of the Workmen :

- Ext. W-1.—Photostat copy of the award of the Industrial Tribunal Madras in I. D. 31/80.
- Ext. W-2.—Photostat copy of the order of the High Court of Madras in OP. No. 1526/81.
- Ext. W-3.—Photostat copy of the minutes of joint discussion between the management and the union dated 30-6-1987.

Ext. W-4.—Photostat copy of the letter dated 27-4-1992 issued by the senior divisional manager, of the Ernakulam by the workman.

Ext. W-5.—Photostat copy of letter dated 22-5-1992 addressed to the Senior Divisional Manager, Ernakulam by the workman.

Documents marked on the side of the Management :

Ext. M-1.—Copy of letter dated 3-3-1992 of the L.I.C. Employees Union, addressed to Shri S. V. Narayanan, Zonal Manager, Madras.

Ext. M-2.—Copy of communication dated 5-12-1980 of the L.I.C. Employees Union to Shri R. Venkateshraman, Hon'ble Minister for finance.

Ext. M-3.—Claim statement of the union dated 14-6-1980 in I. D. No. 31/80.

Ext. M-4.—Reference order dated 16-5-1980 of the Government of India.

Ext. M-5.—O. M. No. L-170111/7/79-D. IV (A), dated 24-11-1979.

Ext. M-6.—Copy of memorandum dated, 15-12-1971 by Smt. G. Santhamma and other to the Divisional Manager.

Ext. M-7.—Copy of the office note dated 3-12-1979 of the Divisional Manager, Trivandrum.

Ext. M-8.—Copy of the notice 7(16)/93-BI, dated 24-12-1993 of the Regional Labour Commissioner (Central) Ernakulam.

Ext. M-9.—Complaint dated 17-12-1993 of the South Zone Insurance Employees Federation, addressed to the Regional Labour Commissioner (Central) and Conciliation Officer.

Ext. M-10.—Minutes of the joint discussion held on 16-3-1994 by the Regional Labour Commissioner (Central) Cochin.

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3226.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक, पटना के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, धनवाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल-12012/242/93-आई. आर. (बी.-2)]

राज मोहन, डेस्क अधिकारी



New Delhi, the 17th November, 1995

S.O. 3226.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank, Patna and their workmen, which was received by the Central Government on 15-11-95.

[No. L-12012/242/93-IR(B-II)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD

PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 27 of 1994

PARTIES :

Employers in relation to the management of Punjab National Bank, Patna and their workmen.

APPEARANCES :

On behalf of the workmen : Shri B. Prasad,  
Bank Employees Federation Bihar C/o.  
Uco Bank Exhibition Road, Patna.

On behalf of the employers : Shri Biswajit  
Satapathy Asstt. Manager (Perso)

STATE : Bihar. INDUSTRY : Banking.

Dated, Dhanbad, the 9th November, 1995

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/242/93-dt. 6th April, 1994.

#### SCHEDULE

"Whether the action of the management of Punjab National Bank, Patna in terminating the services of Shri Lal Mohan Kumar, Water Boy/Peon with effect from 21-2-1992 is justified? If not, what relief is the said workman entitled to?"

2. Pursuant to the reference sent by the Ministry of Labour details of which have already stated by the parties in their respective W.S. as well as rejoinders filed in this reference on the date fixed.

3. In the W.S. of the workmen it is stated that he was appointed as a Water Boy/temporary Peon in Exhibition Road Branch, Patna of Punjab National Bank (hereinafter referred as Bank) on 14-5-81 and thereafter he used to discharge various work such as delivery of Dak, supplying of water bringing and keeping ledgers etc. and thereby he used to engage himself for the Bank's work from 10.00 A.M. to 6 P.M. regularly.

4. It is stated further that he was initially @ Rs. 5 per day through vouchers of the Bank management and it was increased from time to time and came to Rs. 300 to Rs. 400 per month and thereafter a subsidy of Rs. 1700 per mensem was paid to him from 2-1-1991 to October, 1991 as Canteen Boy. Besides that sometimes some amount was paid to him in the share of conveyance charges etc. Be that as it may inspite of his work in the exhibition and branch of the Patna of the management Bank from 14-4-1981 to 20-2-1992 he was stopped from his work with effect from 20-2-1992. In this way he became a victim of retrenchment under Section 2(oo) of the I.D. Act though he was not given any notice nor any notice pay as per provision laid down in Section 25F of the said Act.

5. After such termination he approached the management in writing on 10-3-1992 with a request for his reinstatement but it was turned down leading to him to take shelter before the ALC(C) Patna where conciliation proceeding failed due to adamant attitude of the management and on the report of the ALC(C) this reference cropped up.

6. It is stated in the W.S. that the act done by the management is in violation of Articles 14 and 41 of the Constitution of India and inspite of the principles of "equal pay for equal job" and inspite of the fact that he was in services for such a pretty long time though in form of temporary and casual as it is stated and he completed more than 240 days of service without any interruption which gave him right for absorption as per settlement and thus he prays for reinstatement with full back wages on and from 21-2-1992 after regularising him in the permanent service of the Bank as Class IV employee in subordinate cadre along with other reliefs available to him.

7. In the rejoinder it is stated further that he is a workman within the definition and ambit of I.D. Act and he was really retrenched in strict sense of law and he is deprived of getting appointment as Class IV staff having the qualification due to his passing Class VII which was

the minimum qualification for appointment of Class IV and inspite of completion of 240 days of service in terms of I.D. Act, 1947 and in violation of the relevant rules of the said Act with further claim of reinstatement as prayed for earlier.

8. The management in his W.S. have stated inter alia that the present dispute cannot be termed as industrial dispute under Section 2(k) of the I.D. Act for the reasons that he is not a workman as defined under Section 2(s) of the I.D. Act. He was only engaged by the Branch Manager Exhibition Road, Branch, Patna of the Bank for doing casual nature of job which was not connected with the Banking industry and his engagement automatically came to an end on completion of job.

9. It is pointed out further that the petitioner is covered under Desai Award where it is stated that, persons who are casual employees or who are employed to do casual work are excluded from the operation of this Award. However, it is added that there are four categories of employees such as permanent employees, Probationers, temporary employees and Part time employs but the concerned workman does not fall within any of such categories getting status of a workman in terms of Section 2(s) of the I.D. Act, 1947. So, the concerned workman Lal Mohan Kumar cannot be called to be retrenched as provided in law. Moreover, it is stated that he had no qualification as it was required that the qualification should be class VIII and the age should be between 18 to 26 years and thus he was not eligible for appointment. On merits it has been stated that the Bank introduced by way of Welfare measure for Canteen facilities in all its offices with effect from 1-5-83 which was circulated and this Lal Mohan Kumar was engaged for certain casual job work though not perennial in nature got subsidy of such canteen work on his prayer and thereby his claim for the Post of Peon or regularisation cannot stand by subsequent Act and for the reasons as stated above.

10. In the instant case both the parties have adduced oral and documentary evidence. Let me first come to the oral evidence and then to documentary evidence.

11. I have no hesitation to hold practically from the side of the management oral evidence is not as because no weight can be placed upon such evidence or statement of a person who is not at all conversant of the facts of the case nor aware of the person who is the claimant in the present case.

12. MW-1 Mr. Murari Chandra Verma who is an officer of the Bank had deposed that no ap-

pointment letter was issued to the concerned workman Shri Lal Mohan Kumar from the Bank.

13. In this premises correctly it was argued by the representative of the workman that from the Bank side no appointment letter has been produced to show that any appointment letter is given to the temporary Peon like nature or under any circumstances. So it is futile attempt to say that at the time of such type of engagement any appointment letter is given though work is taken on casual basis for years together and when the claim be forwarded by them the management asks for the appointment letter.

14. Also it appears from his evidence that he is no personal knowledge about the dispute and what he is telling and deposing in the Court is with reference to the documents available in the Bank. It will not be much to say that no document which are within the control of the Bank, has been produced before me for supporting statement and even if any such document is in existence that is not produced wilfully. Then obviously the concerned workman has been deprived of from getting the benefit of such document as the production of such document depends upon the sweat will of the management. He has deposed further that from the record there is no entry that he was employed as against permanent post nor it appears that he worked there from 10.00 A.M. to 6 P.M. But it is admitted by him that this concerned workman used to be employed from time to time and that he was not regularised and he was shifted to the duty of the Canteen Boy subsequently. In cross-examination it appears that at relevant period when this workman worked in the exhibition road branch, Patna he was not posted and thereby it is not possible for him to say whether he actually performed duties as stated by him.

15. It is needless to say that if a competent person who is conversant with the facts to state before this Court be withheld an adverse inference can easily be drawn leading to the conclusion that if the said competent person was produced before the Court there was chance of divulging the truth and so he was kept beyond the Court intentionally by the concerned party. This witness also does not know what was the type of the settlement and what were the terms of the settlement but admits that Ext. W-1 and W-22 show that this concerned workman did some work for the Bank as subordinate staff but no appointment was given to him. Even he is not aware how many persons are appointed as Peon in the exhibition road branch nor he is in know of the position whether any post of the Head Peon is in the said branch.

16. On the other hand it is the specific evidence of the concerned workman, who deposed as WW-1 before this Tribunal, that in the year 1981 on 14-5-81 he was appointed as Peon-cum-Water Boy @ Rs. 5 per day and he used to work from 10.00 A.M. to 6 P.M. and also used to perform the duties of movement of ledgers, delivery of daks and supplying of water and then his pay was increased and ultimately he was shifted to Canteen where he was paid @ Rs. 1,700 per month. It is a fact that he could not show any appointment letter but the documents filed speaks a volume in support of the case of the concerned workman.

17. Already I have stated all the documents are within the control of the Bank and it is not expected that the workman would be in a position to produce the said documents if these are not produced by the Bank.

18. In the same premises we should not be forgetful that though we raise our voice stating that our country is of a socialistic pattern but the management as well as in the concern as and when required forget everything and squeezes the weaker section of the workmen by giving minimum wages and creating lacunae and loopholes and giving camouflage in the payment and obtain the services in such a manner so that they be not entitled to claim for regularisation in future and this is the common experience of all human being and as a Judge I am not forgetful of the situation while dealing with several cases though that cannot be used as weapon against the management at the present moment for assessment of truth and reality. I also cannot be forgetful the said situation and circumstances which are commonly visible in various cases. In this case atleast there are two documents which would go to show that in the year 1989 this concerned workman was described as Peon i.e. Ext. W-1 dt. 29-3-89 and Ext. W-2 dt. 10-2-89. Then a big question arises if the concerned workman was not a Peon why he was described as a Peon for performing a job of Dak delivery register and is it acceptable that a casual worker would be entrusted for delivery of the day of the Bank which is obviously an important document and the said document is enough to remove the camouflage obtained by the various management including the management in the present dispute, to keep the person employed with less remuneration for getting highest out put.

19. There are other documents on record the details of which are not required to be discussed under the present circumstances as because it is not disputed that for long time this workman was attached to this management bank for performing various job from time to time. It is not disput-

ed by the management though it is the case of the concerned workman that he was regular and continuous in his service.

20. A question may arise whether his work is attached to the Banking industry and the answer is that the delivery of Dak and movement of ledgers are sufficient to bring home the position that these jobs are attached to the banking industry and are of permanent nature as these facts remain unchallenged either by oral or documentary evidence.

21. No doubt one document which is pointed by the management that the concerned workman took the job of the Canteen Boy while the scheme of Canteen was implemented for the Banks staff.

22. We should not be forgetful that in our country where there is no crisis for service specially in case of poorer classes and having less educational qualification will be after the money by doing some job without bothering for the nature of job or entering into the controversy of switching over their job. We shall also be rational in consideration of their cases as because from some illiterate persons it cannot be expected that he will understand the consequences of changing over the nature of service when that afforded the money which was higher than of his initial payment.

23. So there are documents on record which are crystal clear that this workman is in service since 1981 and accordingly he prayed for regularisation as per settlement dated 14-1-1991 which is on record and marked exhibit. A point has been raised from the side of the management that he does not possess the minimum qualification of Class VIII post and age of 18 years.

24. I am not forgetful of the fact that it is stated by the concerned workman that he passed Class VII and on calculation it may appear that he was below 18 years when he stated to be in service initially. But at the same breath no rule appears to have been shown from the side of the management that at the relevant moment such rule was prevalent. Even so they took the service from a person knowing not eligible for such long 10 years and now they are taking the plea stating that stands on the way for his regularisation.

25. In this context we should not be forgetful of legal principles enunciated by different High Courts including Hon'ble Supreme Court. It has been condemned by all the Hon'ble Courts that we should condemn for victimisation of larger class of workman as it is done by the management though not always. In the instant case under any circumstances it appears that the concerned workman started working from 1985 and he was not regularised or absorbed in subordinate cadre though in

the meantime several persons were given appointment, in such subordinate cadre as it appears from the list furnished supported by an affidavit is on record. We should not be forgetful of the principle that equal pay for equal work if a person works within a reasonable period. This principle was adopted by the Hon'ble Court in various cases for providing security by regularising within a reasonable period. Also in another case it was decided by the Hon'ble Court that if a person be engaged as a casual labour for nearly 10 years or for a pretty long time and if the work is obtained from him by appointing him as casual labour he is entitled to get protection against unemployment and his livelihood should be secured for the living of himself and his family. It is also decided by the Hon'ble Court that even a person be bound to work from time to time with a minimum pay and he completes certain period as prescribed by different management he would be absorbed and regularised as and when a permanent post would be vacant.

26. In the instant case as I find that even in the year 1989, 1992, 1993 same Peons were absorbed the case of the concerned workman was not considered and in my opinion after obtaining services from a person at such a low remuneration of deprived him subsequently without regularising is not only unjustified but it can also be described as inhuman and arbitrary, whimsical and oppressive attitude of the management.

27. Already I have held that from Ext. W-1 and W-2 it appears that the concerned workman used to perform job of perennial nature and attached to industry as his version remains unchallenged by not examining any witness from the side of the management by examining a competent person. However, it would be not be wise to place a man upon the management if post is not vacant but some protection should be given to a person who has been illegally and unjustifiably terminated without observing the norms for whatever may be the reasons behind him. If he is unruly as it is stated by the management in course of argument and as it is stated in the W.S. then they are at liberty to take the recourse as it is permitted in departmental rules but that itself should not terminate or prohibit the concerned workman right from being regularised in service who has rendered service to the Bank management for the last 8/9 years.

28. Accordingly it is held that the action taken by the management of Punjab National Bank in terminating the concerned workman Shri Lal Mohan Kumar, Water Boy-cum-Peon with effect from 21-2-1992 was not justified. Incidentally it is mentioned that the reference is self indicator that this concerned workman used to work as Water Boy-cum-Peon and if we follow the principle that the Tribunal cannot travel beyond the terms of reference then it will be beyond my scope to ascer-

tain whether he was Peon or not. However, already I have discussed and the points of reference also supports or corroborates it. Accordingly the reference is disposed off in the following terms.

It is held that the management of Punjab National Bank was unjustified by terminating the services of Shri Lal Mohan Kumar from the job as he was performing and also the management was wrong in not regularising him as per the settlement exhibited in this case and entered into between the union and the management as he has already completed 240 days which has been mentioned in the settlement itself. So the management is directed to restate him as a temporary worker with the pay which he was getting at the time of stoppage of his work and to post him as a Peon if any vacancy is at present within one month from the date of publication of the Award. If no post is lying vacant then his name should be kept at the top of the panel for appointment as a Peon if any panel is in existence and if not he is the first person to be appointed as Peon in any vacancy under the management and till such appointment he would go on working as temporary Peon with the emolument and amenities which are available to Class IV employees as Peon. However, no back wages is awarded to this workman for the idle period.

This is my Award.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3227:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल-41012/93/90-आईआरबीआई]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3227.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway and their workmen, which was received by the Central Government on 15-11-1995.

[No. L-41012/93/90/IRB-1]

K. V. B. UNNY, Desk Officer

## ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING  
OFFICER, CENTRAL GOVERNMENT INDUS-  
TRIAL TRIBUNAL-CUM-LABOUR COURT,  
PANDU NAGAR, KANPUR

Industrial Dispute No. 61 of 1991

IN THE MATTER OF DISPUTE BETWEEN :

Munna Parihar,  
S/o S. L. Parihar,  
Sunaran Mohalla,  
Lohamandi Gwalior.

AND

Divisional Railway Manager,  
Central Railway,  
Jhansi.

## AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-41012/93/90-L.R.(DU) dated 11-9-91 has referred the following dispute for adjudication to this tribunal—

Whether the action of the management of DRM(P) Central Railway, Jhansi in terminating the services of Sri Munna Parihar son of Sri Bheorolal Parihar is justified? If not, what relief he is entitled to and from what date.

2. The concerned workman Munna Parihar in his claim statement has alleged that initially he was appointed as casual labour by S S Gwalior on 8-5-77 and worked there upto 31-5-77. He worked under IOW(RE) from 18-9-82 to 19-2-83, and further under IOW Gwalior (BG) from 26-7-89 to 18-12-83 and 19-1-84 to 18-5-84. Later on he worked under IOW (NG) Gwalior from 21-5-84 to 18-6-85. During the above period he was granted casual labour card No. 308958 by S S Gwalior. Still he was discharged on 19-9-85 on the alleged allegation of casual labour card being fake. It is denied that this casual labour card was fake. In fact it was one of the 25 cards bearing No. 308937 to 308961 which were issued by Area Superintendent Gwalior to S S Gwalior vide letter dt. 9-3-82. In fact this issuance of letter was also confirmed by S S Gwalior in his letter dt. 28-8-84. Thus as the casual labour card was not fake the management, Central Railway was in error in discharging the concerned workman. Hence, he is entitled for reinstatement with all back wages.

3. The railway management has filed cycholo-style written statement which also bear a few pleas in hand writing. It is asserted that service card was contained by forgery. Besides it was alleged that the railway is not an industry and as such the reference is incompetent. Further the reference is

incompetent as appeal ought to have been filed against the discharge.

4. The workman has filed rejoinder in which nothing new has been said.

5. In support of his case the concerned workman has filed his affidavit. He has not been cross examined although the railway was given opportunity for the same. Further the railway has not adduced any evidence in rebuttal.

6. As regards the plea that the railway is not an industry, I think it is no longer resintegra. It has been repeatedly held that the railway is an industry as far as its employees do manual work of the nature which the concerned workman had been doing. Hence, this plea is overruled.

7. I am further of the view that simply provision for filing appeal against the order of discharge will not disentitle the workman from raising the industrial dispute and the appropriate government to make reference. Hence, this plea is also overruled.

8. Another plea which has been raised by the railway that this Tribunal has no territorial jurisdiction. It is alleged that all the illegal act were committed in Gwalior as such CGIT Kanpur has no jurisdiction. I do not agree with this contention. As far as I know the jurisdiction of all the CGITs is demarcated. Instead appropriate government makes reference to CGITs keeping in view the convenience of parties. In this way the appropriate government has got right to make reference of any industrial dispute which may arise in any parts of the country to Central Government Industrial Tribunal-cum-Labour Courts of any part of the country. Hence, I do not find substance in this plea.

9. Now the question is as to whether the discharge of the concerned workman is not sustainable. There is no denying the fact that the concerned workman was issued casual labour card No. 30858. The only objection of the railway is that it was a fake one which fact have been denied by the concerned workman and has further filed affidavit in this regard. No efforts was made on behalf of the railway to prove that this casual labour card was fake. In the above back ground I have no hesitation in accepting the case of the concerned workman that the casual labour card of the concerned workman was not fake and as such on this basis the concerned workman cannot be discharged from service.

10. Hence I find that the termination of the concerned workman from service was not justified and he is entitled for reinstatement with full back wages and all consequential benefits. The workman shall also get Rs. 200 as costs from the opposite party Railways.

11. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3228:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिजर्व बैंक ऑफ इंडिया के प्रबन्धन में संबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एन-12012/329/91-आई आर बी-3/बी आई]  
के. वी. बी. उन्नी, इसका अधिकारी

New Delhi, the 17th November, 1995

S.O. 3228:—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of RBI and their workmen, which was received by the Central Government on the 15-11-1995.

[No. L-12012/329/91-IRB-3/BI]  
K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR-208005

Industrial Dispute No. 4 of 1992

IN THE MATTER OF DISPUTE BETWEEN :

Surendra Nath Shukla,  
General Secretary,  
Reserve Bank Workers Organisation,  
37/19 The Mall Road Opposite R.B.I.,  
Kanpur-208001.

AND

Manager,  
Reserve Bank of India,  
Mall Road, Kanpur.

#### AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/329/91/IR(B-3) dated 23-1-92, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Reserve Bank of India in terminating the services of Sri Rameshwar Mali w.e.f. 30-11-89 on the ground of allegedly producing false caste certificate and then re-employing him as clerk/coin note

Examiner Gr. II against a general vacancy was justified? If not, to what relief the workman is entitled to?

2. Concerned workman Rameshwar Mali in his written statement has alleged that earlier he was an employee of Nagar Mahapalika, Kanpur. Through this Corporation he had applied for the post of clerk Gr. II of opposite party Reserve Bank of India. Alongwith his application he had submitted a certificate dt. 29-7-69 of his belonging to Scheduled Caste. After successful competing in the written test and interview the concerned workman was issued appointment letter dt. 14-11-72 on the basis of which he joined on 1-12-72. All of a sudden he was issued a show cause notice on 26-2-88 with the averments that he had given a false certificate regarding his being of Scheduled Caste. As he was selected from purely S.C. quota he was required to show cause as to why his services should not be dispensed with. He submitted his reply informing that the certificate filed by him was obtained from S.D.M. Billhair. He still maintains that he belong to Scheduled Caste. Giving further details he said that he had been surfixing his name by caste Mali from the very beginning. His ancestor had migrated from Orrisa to Kanpur during British Regime and had finally settled here. In Orrisa Mali are in the category of Scheduled Caste.

3. The management did not favourably considered the explanation of the concerned workman and as such issued a conditional offer that his services would be dispensed with at the present post and would be given another post carrying lesser emoluments. Under duress he had to accept it. Consequently the concerned workman's services were terminated on 29-11-79 and he was given a fresh post on 1-12-79. It is alleged that his services could not be terminated without holding enquiry. In any case he had not given a false certificate, hence his termination order is bad in law.

4. In their written statement the management bank has alleged that in 1984 the concerned workman had applied for the post of staff officer Gr. A, for that purpose his caste status was once again verified. In this regard verification was also sought from the Collectorate who had informed that the concerned workman did not belong to Scheduled Caste and that no such certificate was issued. In this way the concerned workman had furnished a false certificate and as such his services were rightly terminated in term of condition (9) of the appointment letter dt. 14-11-72. There was no need to hold an enquiry as show cause notice was already given.

5. The concerned workman has also filed reply.

6. The first contention of the authorised representative of the concerned workman is that after a lapse of about 12 years this Chapter of Caste

verification ought not to have been opened. In support of this contention reference has made to *Dharmvir Versus Union of India* 1990 Lab IC 1254 SC. In this case too a Scheduled Caste Certificate was issued on the basis of which the petitioner was provided a job. After a lapse of about 16 years the matter was reopened. It was in these circumstances that removal of services after lapse of 16 years was not justified as there was no point in unsettling the state of affairs with which petitioner has been put up for such a length of time.

7. The authorised representative of the bank was countered this contention by referring to the case of *Kumari Madhuri Patil Versus Additional Commissioner* AIR 1995, 94 SC in which the manner of issuance of Scheduled Caste Certificate and its scrutiny was given.

8. The second case which have been referred is that of *B. Padannatha Versus Government of Andhra Pradesh* SC 1995 Lab IC 219. This was also a case of furnishing of false caste certificate which was detected within two years. Thereafter the workman had continued in job on the basis of interim order passed by the court for about 13 years. In this background it was held that this long continuance on the basis of order of the court would not operate as estoppel against the bank. In my opinion this ruling will have no application to the facts of the present case. Hence case law relied upon by the concerned workman remains intact and on the basis of that ruling I am inclined to hold that after lapse of about 14 years it was not proper for the opposite party bank to have reopened the matter of caste of the concerned workman.

9. On merits too I do not find any substance in the case of the management bank. In support of his contention the concerned workman *Rameshwar Mali* has filed his affidavit and has also filed the attested copy of schedule caste certificate alongwith his affidavit. He has also filed the copy of intimation letter of the Collectorate to show that this certificate has been issued. In other words the genuineness of this certificate has been accepted. In rebuttal there is affidavit *Sri Ashok Bhattacharya* who has also filed the original application of the concerned workman in which he has mentioned himself belonging to scheduled tribe while in the form he has mentioned himself as belonging to scheduled caste. Further this witness has proved that it was got verified from S.D.M. who had informed him on 13-3-89 that the concerned workman did not belong to scheduled caste and such certificate was not issued. Thus there are two conflicting statements from the Collectorate. The fact of issuance of certificate had become quite old. It is quite likely that when query was made by the bank, collectorate Department without taking

the trouble of searching records would have informed that no such certificate was available. However, the concerned workman—himself went there and took the pain of getting it located through the help of employees of the Collectorate Department. The papers would have been made available and as such I am inclined to attach more weightage to the statements made by the concerned workman. Hence I accept the genuineness of the caste certificate filed by the concerned workman. In any case I am further of the view that the management bank ought not to have slept over the matter. Had the bank been vigilant from the very beginning perhaps this problem would not have arisen. They themselves have filed the original application of the concerned workman in which he has disclosed himself as belonging to Scheduled Tribe where as in the other form he has mentioned himself as belonging to Scheduled Caste. Apparently there were two conflicting versions. This ought to have been detected at the very beginning. In any case this matter ought to have been got verified within a reasonable time. Say the period of couple of years from the date of furnishing of the certificate. Had it been done so, the matter would have been clarified at the very beginning.

10. In this background too and as the matter has become quite old, I accept the evidence of the concerned workman and hold that he had given correct certificate of his belonging scheduled caste and as such on this basis his services could not be terminated.

11. Lastly, it was submitted by the authorised representative of the management that the concerned workman had himself accepted the second appointment letter on 1-12-79 as such now he is estopped from challenging the termination order. In this regard, there is already explanation of the concerned workman supported by his affidavit that due to pressing need he had to accept this offer, otherwise his family would have starved. I think it is a convincing explanation for accepting the second offer and as such it would not operate as estoppel against the concerned workman.

12. In the end my award is that termination of the services of the concerned workman is neither legal nor justified and as such he will be entitled for his reinstatement on the post which he was holding on 29-11-89 and he will also be entitled for difference of wages of the post which he was holding on the date of termination and which we held since 1-12-89. Costs Rs. 100 shall also be paid to the workman by the management bank.

Dated 10-11-1995.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 1995

का. आ. 3229:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-11-95 को प्राप्त हुआ था।

[संख्या एल-32011/13/90-आई. आर. (विविध)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 17th November, 1995

S.O. 3229.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen which has received by the Central Government on the 15-11-1995.

[No. L-32011/13/90-IR (Misc)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, AT CALCUTTA

Reference No. 3 of 1991

#### PARTIES :

Employers in relation to the management of Calcutta Port Trust.

AND

Their Workmen

#### PRESENT :

Mr. Justice K. C. Jagadeb Roy—Presiding Officer.

#### APPEARANCES :

On behalf of Management.—Mr. G. Mukherjee, Senior Labour Officer (IR).

On behalf of Workmen—None.

State : West Bengal.

Industry : Port

#### AWARD

By Order No. L-32011/13/90-IR (Misc.) dated 26th March/1-4-1991, the Central Government in

exercise of its powers under section 10(1)(d) and sub-section (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of . . . CPI in refusing to deploy ‘A’ category workers for loading and unloading of container cargoes and their subsequent stacking and destacking at private sidings of the parties located at “Sonai Plot” in the context of items 6 and 10 of terms of conciliation settlement dated 23-4-1985 is justified or not? If not, to what relief the concerned workmen are entitled?”.

2. This is a reference case of the year 1991. Even though an office bearer of the Union appeared earlier for the workmen on the date fixed, till now no letter of authority has been filed by the workmen in favour of any person. The management however has been represented by Mr. G. Mukherjee, Senior Labour Officer (IR).

3. I find from the order sheet that since 19th January 1995 no one has ever appeared before the Tribunal to represent the workmen and the Tribunal on its own adjourned the case giving opportunities to the workmen to appear and participate in the hearing. In spite of this, no one has appeared since then.

4. Earlier the parties had filed certain documents but they have not been marked exhibits and no witness has been examined by either party.

5. In view of the nature of the reference, it was for the workmen to begin their evidence and would have marked their exhibits in support of their contention, which has not been done.

6. Since it is not possible for any Tribunal to adjudicate upon any demand without any evidence on record and there is no material before me to hold that the demands of the workmen have been unfairly given up, I come to the conclusion that the workmen have given up their demands before this Tribunal and do not press for the same. In such view of the matter, I pass this “No Dispute” Award.

The reference is disposed of accordingly.

Dated, Calcutta,

The 28th July, 1995.

K. C. JAGADEB ROY, Presiding Officer



नई दिल्ली, 20 नवम्बर, 1995

## APPEARANCES :

None.

— For both the parties.

## ORDER

The dispute referred to by the Central Government in the Ministry of Labour (vide Notification No. L-43012(4)/86D III(B)D.IV(A) dated 18th August, 1987) for adjudication under clause (d) of sub-section (1) & sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), runs as follows:—

“Whether the action of the management of Gandhamardan Bauxite Project of M/s. Bharat Aluminium Company Ltd. At P.O. Paikmal, Dist. Sambalpur in terminating the services of Shri Subhash Chandra Jena, Dozer Helper w.e.f. 17th December, 1985 is justified? If not, to what relief is the workman concerned entitled”.

2. In this case the management and the concerned workman after filing their respective statement of claim and written statement are not turning up to pursue the reference. As the parties do not evince any interest to proceed with the case and in the absence of evidence from either side, it is not possible to answer the reference. When the dispute is not pursued by the parties, the proceeding cannot be terminated merely by passing a ‘No-dispute Award’ which according to the decision of our own High Court is misconceived in law. However, it has to be observed that so long as the dispute remains unsettled and the proceedings come to an end without adjudicating upon the dispute between the parties, there is no bar under the Industrial Disputes Act whereby the Government is precluded from referring the dispute over again so that there might be an industrial adjudication of the dispute as contemplated by the said Act. Reliance is placed on the decision reported in Vol. 72(1991) C.L.T. Page-79.

3. The reference is accordingly disposed of without passing any award.

Dictated and corrected by me.

P. K. PANIGRAHI, Presiding Officer

नई दिल्ली, 21 नवम्बर, 1995

का. आ. 3230 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत अल्युमिनियम कंपनी लि. के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 15-11-95 को प्राप्त हुआ था।

[संख्या एल-43012/4/86-डी. 3 (बी) / डी. IV (ए)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 20th November, 1995

S.O. 3230.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Aluminium Company Ltd. and their workmen, which has received by the Central Government on 15-11-1995.

[No. L-43012/4/86-D-III(B)D.IV(A)]

B. M. DAVID, Desk Officer

## ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA :  
BHUBANESWAR

## PRESENT :

Sri P. K. Panigrahi,  
Presiding Officer,  
Industrial Tribunal,  
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 56 of 1987  
(Central)

Bhubaneswar, the 2nd November, 1995

## BETWEEN :

The management of Gandhamardan Bauxite  
Project of M/s. BALCO Ltd.,  
At/P.O. Paikmal, Dist : Sambalpur.

.. First Party-  
management.

## AND

Their workman Sri Subhash Ch. Jena  
Clo : Sri S. N. Muduli, General Secretary,  
United Mines Mazdoor Union (CITU),  
House No. 33, Saktinagar, Rourkela-14.

.. Second Party-  
workman.

का. आ. 3231 :—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 16 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय के सं. आ. का. 3536 दिनांक 6 दिसम्बर, 1994 की अधिसूचना के क्रम में, केन्द्रीय सरकार की यह राय है कि कतिपय ऐसे प्रतिष्ठानों की, जो सोसाइटी पंजीकरण अधिनियम,

1860 ( 1860 का 21 ) के तहत अथवा किसी राज्य में सोसाइटियों के पंजीकरण के संबंध में कुछ समय के लिए प्रभावी किसी अन्य कानून के तहत पंजीकृत हैं और जो प्रमुखतः केन्द्रीय सरकार अथवा राज्य सरकारों में प्राप्त सहायता अनुदान पर चल रहे हैं, की परिस्थितियों पर ध्यान देते हुए ऐसा किया जाना आवश्यक और समीचीन है, एतद्वारा उक्त श्रेणी के प्रतिष्ठानों को पहले वर्णित अधिनियम की परिधि में 22 सितम्बर, 1995 से अगले दो वर्ष के लिए छूट प्रदान करती है वगैरह कि ऐसी सहायता अनुदान में भविष्य निधि में नियोजक के अंशदान से संबंधित नियोजक की देयता को पूरा करने के प्रयोजनार्थ कोई राशि शामिल नहीं हो।

[फा. सं. एस-35011/4/94-एस. एस.-II]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 21st November 1995

S.O. 3231.—In exercise of the powers conferred by sub-section (2) of Section 16 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) and in continuation of the Notification of the Government of India in the Ministry of Labour S.O. No. 3536 dated the Sixth December, 1994, the Central Government being of opinion that having regard to the circumstances of certain establishments registered under the Societies Registration Act, 1860 (21 of 1860) or under any other law for the time being in force in any State relating to registration of societies which are being run mainly on grants-in-aid received from the Central Government or the State Governments, it is necessary and expedient so to do, hereby exempts the said class of establishments from the operation of the first mentioned Act for a further period of two years with effect from the 22nd September, 1995 subject to the condition that such grants-in-aid do not include any amount for the purpose of meeting the liability of the employer towards the employer's contribution to the Provident Fund.

[F. No. S-35011/4/94-SS.II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 21 नवम्बर, 1995

फा. आ. 3232 :—कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 ( 1952 का 19 ) की धारा 2 के खंड ( ट ) द्वारा प्रदान शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार अनुसूची के स्तम्भ (2) में उल्लिखित अधिकारियों को उक्त अधिनियम के उपबंधों के अधीन शामिल सभी प्रतिष्ठानों के संबंध में उक्त अनुसूची के स्तम्भ (3) में उल्लिखित क्षेत्रों के लिए, उक्त अधिनियम के अधीन संबंधित क्षेत्रों में तत्काल प्रभाव में अनुसूची अधिकारी की शक्तियों का प्रयोग करने के लिए एतद्वारा प्राधिकृत करती है :

अनुसूची		
क्र. सं.	अधिकारी का नाम और पदनाम	वह क्षेत्र जिसके संबंध में अधिकारिता का प्रयोग किया जाना है
1	2	3
1.	श्री के. आर. गोविन्द राजू, क्षेत्रीय भविष्य निधि आयुक्त, हैदराबाद	आन्ध्र प्रदेश और यमन क्षेत्र
2.	श्री बी. शंकर रेड्डी, सहायक भविष्य निधि आयुक्त, आन्ध्र प्रदेश	आन्ध्र प्रदेश राज्य
3.	श्री पी. सी. मुधाकर रेड्डी, सहायक भविष्य निधि आयुक्त, आन्ध्र प्रदेश	आन्ध्र प्रदेश राज्य
4.	श्री जगदीश कुमार, सहायक भविष्य निधि आयुक्त, दिल्ली	राष्ट्रीय राजधानी क्षेत्र दिल्ली
5.	श्री एम. एम. कालिया, सहायक भविष्य निधि आयुक्त, दिल्ली	राष्ट्रीय राजधानी क्षेत्र दिल्ली
6.	श्री अनिल कृष्णन, सहायक भविष्य निधि आयुक्त, दिल्ली	राष्ट्रीय राजधानी क्षेत्र दिल्ली
7.	श्री पी. डी. सिन्हा, सहायक भविष्य निधि आयुक्त, बिहार	बिहार राज्य
8.	श्री बी. के. साहा, सहायक भविष्य निधि आयुक्त, बिहार	बिहार राज्य
9.	श्री एस. के. खट्की, सहायक भविष्य निधि आयुक्त, बिहार	बिहार राज्य
10.	श्री बी. एन. झा, सहायक भविष्य निधि आयुक्त, बिहार	बिहार राज्य
11.	श्री धनन्तर प्रकाश, सहायक भविष्य निधि आयुक्त, हरियाणा	हरियाणा राज्य
12.	श्री एच. एस. गुप्ता, सहायक भविष्य निधि आयुक्त, हरियाणा	हरियाणा राज्य
13.	श्री वार्ड. एस. राना, सहायक भविष्य निधि आयुक्त, हरियाणा	हरियाणा राज्य
14.	श्री राम मोहन, सहायक भविष्य निधि आयुक्त, हरियाणा	हरियाणा राज्य
15.	श्री सुरेश चन्द्र, सहायक भविष्य निधि आयुक्त, हरियाणा	हरियाणा राज्य
16.	श्री के. टी. दोत्रे, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य

1	2	3	4	5
17. श्री प्रार. बी. पाम्बले सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		34. श्री एम. प्रार. नायक, सहायक भविष्य निधि आयुक्त, केरल	केरल राज्य
18. एम. पी. मिन्हा, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		35. श्री डी. पण्वाजन, सहायक भविष्य निधि आयुक्त, केरल	केरल राज्य और लक्षद्वीप संघ शासित क्षेत्र जिसमें माहे क्षेत्र शामिल है।
19. श्री ध्याम सुन्दर, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		36. श्री एम. पुरुषोत्तम, सहायक भविष्य निधि आयुक्त, तमिलनाडु	तमिलनाडु राज्य
20. श्री एम. के. भार्गव, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		37. श्री जी. गुरुसामी, सहायक भविष्य निधि आयुक्त, तमिलनाडु	तमिलनाडु राज्य
21. श्री प्रार. राधा किशन, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		38. श्री एम. प्रार. ओलेफ, सहायक भविष्य निधि आयुक्त, तमिलनाडु	तमिलनाडु राज्य
22. श्री बी. डब्ल्यू. भलेराव, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		39. श्री पी. स्वामीनाथन, सहायक भविष्य निधि आयुक्त, तमिलनाडु	तमिलनाडु राज्य
23. श्री के. एम. गायकवाड सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		40. श्री बी. बालाकृष्णन, सहायक भविष्य निधि आयुक्त, तमिलनाडु	तमिलनाडु राज्य
24. श्री एम. प्रार. यादव, सहायक भविष्य निधि आयुक्त, महाराष्ट्र	महाराष्ट्र राज्य		41. श्री सुबेण्डरन, सहायक भविष्य निधि आयुक्त, उप-क्षेत्रीय कार्यालय, कोयम्बटूर	तमिलनाडु राज्य
25. श्री जे. के. कोली, क्षेत्रीय भविष्य निधि आयुक्त, मध्य प्रदेश	मध्य प्रदेश राज्य		42. श्री मायीसन, सहायक भविष्य निधि आयुक्त, उप-क्षेत्रीय कार्यालय, तिरुनेलवेली	तमिलनाडु राज्य
26. श्री बी. पी. सिंह, सहायक भविष्य निधि आयुक्त, एम. प्रार. ओ. गायपुर	मध्य प्रदेश राज्य		43. श्री शिव प्रसाद, सहायक भविष्य निधि आयुक्त, ग्रहमदाबाद	गुजरात राज्य
27. श्री प्रार. हसन, सहायक भविष्य निधि आयुक्त, एम. प्रार. ओ. जयपुर	मध्य प्रदेश राज्य		44. श्री पी. बी. डाने, सहायक भविष्य निधि आयुक्त, ग्रहमदाबाद	गुजरात राज्य
28. श्री जी. डी. वर्मा, सहायक भविष्य निधि आयुक्त, मध्य प्रदेश	मध्य प्रदेश राज्य		45. श्री प्रार. जी. मोना, सहायक भविष्य निधि आयुक्त, ग्रहमदाबाद	गुजरात राज्य
29. श्री टी. प्रार. एम. कुमार, सहायक भविष्य निधि आयुक्त, इन्दौर	मध्य प्रदेश राज्य		46. श्री प्रार. एन. गोपालगर, सहायक भविष्य निधि आयुक्त, एम. प्रार. ओ. बरीदा	गुजरात राज्य
30. श्री उमाकांत कृष्ण सहायक भविष्य निधि आयुक्त, उप-क्षेत्रीय कार्यालय, बंगलौर	कर्नाटक राज्य		47. श्री ए. के. शर्मा, सहायक भविष्य निधि आयुक्त, एम. प्रार. ओ. सुरत	गुजरात राज्य
31. श्री यन्मा राजा, सहायक भविष्य निधि आयुक्त, बंगलौर	कर्नाटक राज्य		48. श्री धनशेखर देहूरी, सहायक भविष्य निधि आयुक्त, उड़ीसा	उड़ीसा राज्य
32. श्री ब्रह्मा नारायणन, सहायक भविष्य निधि आयुक्त, उप-क्षेत्रीय कार्यालय, त्रिपुरा	कर्नाटक राज्य		49. श्री एन. के. प्रसाद, सहायक भविष्य निधि आयुक्त, एम. प्रार. ओ. राउरकेला	उड़ीसा राज्य
33. श्री चन्द्रणा, सहायक भविष्य निधि आयुक्त, केरल	केरल राज्य		50. श्री लोक नाथ सेठी, क्षेत्रीय भविष्य निधि आयुक्त, उड़ीसा	उड़ीसा राज्य

1	2	3	1	2	3
51. श्री वेद प्रकाश, सहायक भविष्य निधि आयुक्त, पंजाब		पंजाब राज्य	57. श्री सी. पी. बाग, सहायक भविष्य निधि आयुक्त, उत्तर प्रदेश		उत्तर प्रदेश राज्य
52. श्री के. सी. मेहता, सहायक भविष्य निधि आयुक्त, पंजाब		पंजाब राज्य	58. श्री आर. एन. बाजपेयी, सहायक भविष्य निधि आयुक्त, उत्तर प्रदेश		उत्तर प्रदेश राज्य
53. श्री आर. डी. शर्मा, सहायक भविष्य निधि आयुक्त, राजस्थान		राजस्थान राज्य	59. श्री एन. बरुआ, सहायक भविष्य निधि आयुक्त, एस. आर. ओ. नीतपुकिवा		उत्तर-पूर्वी क्षेत्र
54. श्री जेबियर टोपो, सहायक भविष्य निधि आयुक्त, उत्तर प्रदेश		उत्तर प्रदेश	60. श्री बी. मुखर्जी, सहायक भविष्य निधि आयुक्त, एस. आर. ओ. अगमना		उत्तर-पूर्वी क्षेत्र
55. श्री डी. एम. पान्देय, सहायक भविष्य निधि आयुक्त, उत्तर प्रदेश		उत्तर प्रदेश राज्य			
56. श्री विश्वनाथ, सहायक भविष्य निधि आयुक्त, उत्तर प्रदेश		उत्तर प्रदेश राज्य			

[सं. आर-11013/J/95-एस. एम.-II]

जे. पी. शर्मा, आर. सचिव

New Delhi, the 21st November, 1995

S.O. 3232.—In exercise of the powers conferred by clause (kb) of Section 2 of the Employees' Provident Funds & Misc. Provisions Act, 1952 (19 of 1952) the Central Government hereby authorises the officers mentioned in column (2) of the schedule to exercise the powers of Recovery Officer under the said Act with immediate effect for the areas mentioned in column (3) of the said schedule in relation to all establishments covered under the provisions of the said Act in the respective areas.

## SCHEDULE

S. No.	Name and Designation of the officer	Area in relation to which jurisdiction to be exercised
(1)	(2)	(3)
1.	Sh. K.R. Govinda Rajulu, Regional Provident Fund Commissioner (II), Hyderabad.	Andhra Pradesh State including the area of Yanam.
2.	Sh. V. Shankar Reddy, Assistant Provident Fund Commissioner, Andhra Pradesh.	Andhra Pradesh State
3.	Sh. P.C. Sudhakar Reddy, Assistant Provident Fund Commissioner, Andhra Pradesh	Andhra Pradesh State
4.	Sh. Jagdish Kumar, Assistant Provident Fund Commissioner, Delhi.	National Capital Territory of Delhi
5.	Sh. M.S. Kalia, Assistant Provident Fund Commissioner, Delhi.	National Capital Territory of Delhi
6.	Sh. Anil Krishnan, Assistant Provident Fund Commissioner, Delhi.	National Capital Territory of Delhi

(1)	(2)	(3)
7. Sh. P.D. Sinha, Assistant Provident Fund Commissioner, Bihar.	Bihar State	
8. Sh. B.K. Saha, Assistant Provident Fund Commissioner, Bihar.	Bihar State	
9. Sh. S.K. Chatterjee, Assistant Provident Fund Commissioner, Bihar.	Bihar State	
10. Shri B. N. Jha, Assistant Provident Fund Commissioner, Bihar.	Bihar State	
11. Shri Anand Prakash, Assistant Provident Fund Commissioner, Haryana	Haryana State	
12. Shri H.S. Gulati Assistant Provident Fund Commissioner, Haryana	Haryana State	
13. Shri Y.S. Rana, Assistant Provident Fund Commissioner, Haryana.	Haryana State	
14. Shri Ram Mohan, Assistant Provident Fund Commissioner, Haryana	Haryana State	
15. Shri Suresh Chand, Assistant Provident Fund Commissioner, Sub-Regional Office, Karnal.	Haryana State	
16. Shri K.T. Thorve, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
17. Shri R.B. Kamble, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
18. Shri Shyam Sunder, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
19. Shri S.B. Sinha, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
20. Shri S.K. Bhargava, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
21. Shri R. Radha Kishan, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	
22. Shri B.W. Bhalerao, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State	

1	2	3
23.	Shri K.S. Gaikwad, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State
24.	Shri M.R. Yadav, Assistant Provident Fund Commissioner, Maharashtra.	Maharashtra State
25.	Shri J.K. Koli, Regional Provident Fund Commissioner, Madhya Pradesh.	Madhya Pradesh State
26.	Shri V.P. Singh, Assistant Provident Fund Commissioner, S.R.O. Raipur.	Madhya Pradesh State
27.	Shri R. Hassan, Assistant Provident Fund Commissioner, S.R.O. Jabalpur.	Madhya Pradesh State
28.	Shri G.D. Verma, Assistant Provident Fund Commissioner, Madhya Pradesh.	Madhya Pradesh State
29.	Shri T.R.S. Kumar, Assistant Provident Fund Commissioner, Indore.	Madhya Pradesh State
30.	Shri Thulasi Raja, Assistant Provident Fund Commissioner, Bangalore.	Karnataka State
31.	Shri Umakant Kurup, Assistant Provident Fund Commissioner, Sub-Regional Office, Mangalore.	Karnataka State
32.	Shri Badri Narayanan, Assistant Provident Fund Commissioner, Sub-Regional Office, Hubli.	Karnataka State
33.	Shri Chandrappa, Assistant Provident Fund Commissioner, Kerala.	Kerala State
34.	Shri H. Rama Naik, Assistant Provident Fund Commissioner, Kerala.	Kerala State
35.	Shri D. Pappachan, Assistant Provident Fund Commissioner, Kerala.	Kerala State and Union Territory of Lakshdeep including arca Mahe.
36.	Shri M. Purushothaman, Assistant Provident Fund Commissioner, Tamil Nadu.	Tamil Nadu State
37.	Shri G. Gurusamy, Assistant Provident Fund Commissioner, Tamil Nadu.	Tamil Nadu State

1	2	3
38.	Shri M.R. Joseph, Assistant Provident Fund Commissioner, Tamil Nadu.	Tamil Nadu State
39.	Shri P. Swaminathan, Assistant Provident Fund Commissioner, Tamil Nadu.	Tamil Nadu State
40.	Shri V. Balakrishnan, Assistant Provident Fund Commissioner, Tamil Nadu	Tamil Nadu State
41.	Shri Sarveshwaran, Assistant Provident Fund Commissioner, Sub-Regional Office, Coimbatore.	Tamil Nadu State
42.	Shri Satheesan, Assistant Provident Fund Commissioner, Sub-Regional Office, Tirunelveli,	Tamil Nadu State
43.	Shri Shiv Prasad, Assistant Provident Fund Commissioner, Ahmedabad.	Gujarat State
44.	Shri P.B. Darne, Assistant Provident Fund Commissioner, Ahmedabad	Gujarat State
45.	Shri R.G. Meena, Assistant Provident Fund Commissioner, Ahmedabad.	Gujarat State
46.	Shri R.N. Gosalkar, Assistant Provident Fund Commissioner, S.R.O., Baroda.	Gujarat State
47.	Shri A.K. Sharma, Assistant Provident Fund Commissioner, S.R.O., Suret.	Gujarat State
48.	Shri Dhabaleswar Dehury, Assistant Provident Fund Commissioner, Orissa.	Orissa State
49.	Shri N.K. Prasad, Assistant Provident Fund Commissioner, S.R.O., Rourkela.	Orissa State
50.	Shri Lokanath Sethy, Regional Provident Fund Commissioner, Orissa.	Orissa State
51.	Shri Ved Prakash, Assistant Provident Fund Commissioner, Punjab.	Punjab State
52.	Shri K.C. Mehta, Assistant Provident Fund Commissioner, Punjab.	Punjab State
53.	Shri R.D. Sharma, Assistant Provident Fund Commissioner, Rajasthan.	Rajasthan State

1.	2.	3.
54. Shri Xavier Topo, Assistant Provident Fund Commissioner, Uttar Pradesh.		Uttar Pradesh State
55. Shri D.S. Pandey, Assistant Provident Fund Commissioner, Uttar Pradesh.		Uttar Pradesh State
56. Shri Vishwanath, Assistant Provident Fund Commissioner, Uttar Pradesh.		Uttar Pradesh State
56. Shri C.P. Bara, Assistant Provident Fund Commissioner, Uttar Pradesh.		Uttar Pradesh State
58. Shri R.N. Bajpai, Assistant Provident Fund Commissioner, Uttar Pradesh.		Uttar Pradesh State
59. Shri L. Baruah, Assistant Provident Fund Commissioner, SRO, Tinsukia.		N.E.R. Regions.
60. Shri B. Mukherjee, Assistant Provident Fund Commissioner, S.R.O., Agartala.		N.E.R. Region.

[No. R-11013/3/95-SS. II]  
J. P. SHUKLA, Under Secy.

नई दिल्ली, 22 नवम्बर, 1995

New Delhi, the 22nd November, 1995

का. अ. 3233:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-12-1995 को उस तारीख के रूप नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा-76 की उपधारा (1) और धाराएं 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध मध्य प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात्:—

(क) “जिला एवं तहसील धार के राजस्व ग्राम धन्तड़ खुर्द शिलोटिया, हाउसिंग बोर्ड पीथमपुर एवं पीथमपुर औद्योगिक क्षेत्र सैक्टर—1 एवं 2 सहित पीथमपुर, अकोदिया, डाक बंगला अकोदिया, गौला, तारापुरा, भोंडिया तथा बरदरी के अन्तर्गत आने वाले क्षेत्र।

(ख) जिला इन्दौर, तहसील देपालपुर के राजस्व ग्राम बजरंगपुरा के अन्तर्गत आने वाले क्षेत्र।”

[संख्या एस-38013/59/95-एस. एस.-1]

जे. पी. शुक्ला, अवर सचिव

S.O. 3233.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 1995 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Madhya Pradesh namely:—

“The areas comprising the revenue Village of:

(a) Dhanbad Khurd, Shilotia, Pithampur including the areas of Housing Board Pithampur, Sector-I and II of Industrial Area, Pithampur, Akodiya, Dak Bangalow, Akodia Gaula, Tarapura, Bhondiya and Bardari in Tehsil and District Dharwad.

(b) Bajrangpura in Tehsil Depalpur, District Indore.”

[No. S-38013/59/95-SS.I]

J. P. SHUKLA, Under Secy.



नई दिल्ली, 23 नवम्बर, 1995

की जा चुकी है) के उपरान्त आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

का. आ. 3234:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1-12-1995 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रदत्त होंगे, अर्थात्:—

“जिला धिजयानगरम के कोठावालासा मंडल में राजस्व ग्राम दात्ती, अप्पन्नापलेम, चिन्तालापलेम, देसापट्टनीपलेम और कन्तकापल्ली के अन्तर्गत आने वाले क्षेत्र”।

[संख्या : एस-3803/61/95-एस. एस.-1]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 23rd November, 1995

S.O. 3234.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 1995 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:—

“The areas falling within the revenue Villages of Datti, Appannapalem, Chintalapalem Desapatrurupalam and Kantakapalli in Kothavalasa Mandal of Vizianagaram District.”

[No. S-38013/61/95-SS.I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 23 नवम्बर, 1995

का. आ. 3235:—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1-12-1995 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा—44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त

S.O. 3235.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 1995 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:—

“The areas falling within the limits of Vempalli, Papireddypalli and Basinikonda revenue villages in Madanapalli revenue Mandal of Chittoor District.”

[No. S-38013/62/95-SS.I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 23 नवम्बर, 1995

का. आ. 3236:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1-12-1995 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“जिला चित्तूर के गहरी मंडल थीरुपथी में राजस्व ग्राम थीमानायडपलेम, मंगलम और अक्कमपल्ली की सीमाओं के अन्तर्गत आने वाले क्षेत्र”।

[संख्या : एस-38013/60/95-एस. एस.-1]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 23rd November, 1995

S.O. 3236.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 1995 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said

Act shall come into force in the following areas in the following areas in the State of Andhra Pradesh namely :—

"The areas falling within the limits of revenue villages of Thimmanaidupalem, Mangalam and Akkarampalli in Thirupathi Urban Mandal of Chittoor District."

[No. S-38013|60|95-SS.I]  
J. P. SHUKLA, Under Secy.